A
REVIEW

OF THE

PRINCIPAL PROCEEDINGS

OF THE

PARLIAMENT OF 1784.

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INTRODUCTION.

THE maxim of the Roman moralift, " that the prefent day fhould be a difciple of the paft," may be applied, with equal, or, perhaps, greater force, to nations as well as to individuals. In proportion to the extent and intricacy of public concerns, is the value of that fafe and falutary counfel which experience affords for their direction. The interefts of individuals, theory may fometimes venture to balance and decide; but he muft be confident, indeed, who will commit to her guidance the interefts of nations,

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complicated and uncertain as they are, if he can find in practice and experience a ſure foundation on which to build his opinions.

Events, however, will ſometimes ariſe for the conduct of which no preciſe direction can be drawn from the hiſtory of former times. In the management of ſuch events, a Stateſman muſt rely upon his own capacity and genius, unſupported by precedent, and unaſſiſted by example.

Events of this kind have been more frequent during the ſpace of a few years back from the preſent time, than in any period of the ſame duration with which we are acquainted. In this country, we are happy to think, the occurrences

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have been important, but not difastrous; the scene has been changeful and busy, but it has been marked with no distressful catastrophe; we can look back on it for comfort as well as instruction, and profit from the warnings of vicissitude, without the severer corrections of adversity.

The History of the Parliament 1784 comprehends a series of events, involving in a very uncommon degree the most important interests of Great Britain. The revision of these transactions can scarcely be a matter of indifference to any subject of this country; their importance, indeed, have been felt by the people, and they have pronounced with very little reserve on the nature and tendency of the measures adopted du-

ring that period by their repreſenta-tives. This judgement of the peo-ple, if properly regulated, is one of the moſt uſeful qualities of a free Government. It anticipates the hiſtoric fame of a good and a pure Adminiſtration, the infamy of a wicked and a corrupt one. It gives to the preſent time that juriſdiction which, in arbitrary Governments, is only exerciſed by poſterity, and ſub-ſtitutes an actual and ſolid advantage in place of uſeleſs regret or empty encomium.

But the people, it has been re-peatedly obſerved, though always right in ſentiment, are not always right in opinion. Their opinions are liable to be miſled by the warmth of momentary impreſſions, or by the preſcriptive authority of certain po-

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pular ideas, which form the political creed of the great bulk of the community. It may be worth their while ſometimes to retrace thoſe impreſſions, to reconſider the juſtice of thoſe ideas; to weigh, with retroſpective calmneſs, the reaſons for their applauſe of ſome meaſures, for their cenſure of others; to regulate the meaſure of their future confidence, and to reſtrain the haſtineſs of future miſtruſt and apprehenſion.

With this view, it may be allowed to one of their own number to recall to their remembrance the conduct of the late Parliament in ſome of thoſe very important proceedings in which it was its fortune to be engaged. Some of theſe may now be traced in their effects; and all

all of them may be confidered with a greater degree of impartiality than was confiftent with the immediate warmth of party-debate, or the agitation of oppofite and contending interefts. From the fame confideration, he may alfo venture to fuggeft a review of thofe tranfactions to the prefent reprefentatives of the people. This is the firft period at which fuch a review could be properly recommended to their attention. During the laft Seffion, befides the ordinary bufinefs which always attends the opening of a new Parliament, there were other circumftances not favourable to deliberate difcuffion. With the profpect of peace, which the refult of the late negociations on the Continent, and the general fentiment of European politics, may now reafonably

ably afford, the preſent Parliament, we flatter ourſelves, may have leiſure for the undiſturbed exerciſe of its deliberative functions; may have a full opportunity of providing for the completion and permanency of every uſeful regulation already eſta-bliſhed, as well as for the adoption of thoſe of which its own wiſdom and information may ſuggeſt the expediency.

ERRATA.

P. 71, line 14, for *exactments*, read *enactments*
80, laſt line, for *between* 62,000l. *and* 63,000l. &c., read *about* 60,000l., &c.
82, line 17, in a few of the copies, for 6,696,221, read 6,698,221
92, — 3, for *and* one million, read *amounting to* one million

SECTION I.

INDIA.

India Bill of 1783.—*India Bill of* 1784.—*India declaratory Bill.*—*Impeachment of Mr. Haſtings.*

IN looking back to the commencement of the late Parliament, it is impoſſible to forget the concluſion of that immediately preceding. The meaſure which produced its diſſolution was one of that kind which holds no middle place in the political ſyſtem. It was of a magnitude that rouzed the attention of every man to whom the Conſtitution of his country appeared an object of importance. The introduction of Mr. Fox's celebrated *India Bill* was favoured by the neceſſity which was felt of ſome reform in the adminiſtration of our eaſtern poſſeſſions. The empire held, by Great Britain in the Eaſt, had by that time grown much too unwieldy for the government of

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a mercantile Company, with whoſe very nature and conſtitution were interwoven ſo many obvious cauſes of the miſmanagement and oppreſſion of thoſe territories. The interpoſition of the Britiſh Legiſlature to regulate that Government and to reſtrain that oppreſſion, was loudly called for by the juſtice and humanity of the nation. But thoſe very feelings were alarmed by the proviſions, equally violent and unneceſſary, which this bill contained, tending to annihilate and deſtroy not only the power, but the property and the commerce, of the Eaſt-India Company. This ſtruck the feelings of the people at large, which are eaſily awakened to a ſenſe of immediate oppreſſion and injuſtice; but to thoſe who could inveſtigate more deeply, the danger with which the bill in queſtion threatened the moſt eſſential principles of the Britiſh Conſtitution ſeemed ſtill a greater and more extenſive object of apprehenſion. The immeaſurable influence and patronage which it placed in ſeven Commiſſioners named by Parliament, in violation of the rights of the executive branch of the Government, whoſe unity it de-

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ſtroyed, and whoſe exertions it muſt fruſtrate, created, it was ſaid, a new power in the ſtate, of ſuch a nature and ſuch an extent, as to overbear every wholeſome check which the wiſdom of our forefathers had contrived againſt the encroachments or preponderance of any one order of the ſtate*. A foundation, it was argued, was laid for an ariſtocratical deſpotiſm, by which the liberties of moſt European ſtates have been fatally overturned; a deſpotiſm by which

* The extent of this influence is very fully and juſtly ſtated in an excellent pamphlet written at the time by Mr. Pulteney, one of the moſt intelligent and independent Members of the Houſe of Commons. His words on that head are, " The whole influence " of the offices of every kind in India, and at home, " belonging to the Company; and the whole influ- " ence ariſing from the tranſactions of their trade, " in the purchaſe of goods for exportation, furniſh- " ing ſhipping, ſtores, and recruits; and the influ- " ence ariſing from the method of ſelling their goods, " by bringing forward or keeping back goods at the " ſales, or giving indulgencies as to payments, ſo as " to accommodate thoſe who are meant to be fa- " voured; the influence ariſing from the favour they " may ſhew to thoſe who are now in England, and " have left debts or effects in India, as to the mode " of

which the people had even in ſome inſtances been driven, as feeling it a leſſer evil, to throw themſelves on the arbitrary rule of a Monarch.

With theſe arguments againſt the India-Bill of 1783, the public opinion ſeemed to

" of bringing home and receiving their fortunes; the
" influence of contracts of all kinds in India; of
" promotions from ſtep to ſtep; of favour in the in-
" land trade; of intimidation with reſpect to every
" perſon now there, who may come home with a
" fortune, both with regard to recovering his debts,
" and the means of remittance, and with regard to
" inquiries into his conduct; the influence upon fo-
" reign companies or foreign ſtates, who have eſta-
" bliſhments in the country; the influence upon the
" native Princes of India, ſome of whom have al-
" ready found the way of procuring the elections
" of Members of Parliament; and many other means
" of influence which it is impoſſible to foreſee or to
" trace."

The ſeizure of the Company's warehouſes, goods, books, &c. which this bill enacted, its uſurpation of their whole commercial management, ſeemed, at firſt view, to the Public, a mere wanton exertion of arbitrary and extravagant power; but thoſe who had conſidered the ſubject more cloſely, allowed it, at leaſt, the merit of a motive; it was a part of that rapacity of patronage which was the diſtinguiſhing feature of the bill.

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coincide; and the nation beheld rather with ſatisfaction than ſurpriſe, the diſmiſſion of the Miniſters by whom it had been introduced, though ſuch diſmiſſion was reſiſted by various reſolutions of the Houſe of Commons. That Miniſtry had, indeed, in its formation, the ſeeds of great unpopularity. The alliance of the two adverſe parties of which it was compoſed, ſeemed ſo much beyond the uſual pliancy even of politicians; the perſonal violence of their former hoſtility ſeemed ſo repugnant to every idea of junction, that the natural integrity of the people felt the *Coalition* as one of thoſe public violations of conſiſtency, one of thoſe public derelictions of principle, which deſtroy all future confidence, and forfeit all future eſteem.

A majority of the Houſe of Commons conſtituted in this manner, and excited to ſuch a purpoſe, did not carry its uſual and natural weight in the adoption of public Meaſures. That majority complained loudly of the diſregard that was ſhewn to its remonſtrances; impartial men felt as a precedent of ill tendency, the abuſe and conſequent diſreſpect of a power which

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the Houſe of Commons had often exerted, for the benefit of its conſtituents, with a vigour and an effect in which the friends of liberty rejoiced and triumphed. They ſaw, with peculiar regret, that, in this war of party, the weapons which had been ſo often wielded in defence of the Public, were blunted by the injuſtice of the cauſe in which they were employed. They lamented that, in this inſtance, the conſtitutional language and principles, which every lover of his country wiſhes to preſerve in their fulleſt force, were perverted, as the people believed, to cover party machinations and deſigns of inordinate ambition; they thus loſt the ſacredneſs of their ancient authority, and the democratical part of our Conſtitution was expoſed to a danger of which it was fortunate for the public tranquillity that the moderation of the Crown was not in the ſmalleſt degree diſpoſed to take advantage.

In the diſſolution of the Parliament the Crown acted with a reluctant ſlowneſs, which at the time was blamed by ſome of its friends as unneceſſary and hurtful. But it was a meaſure proper to be adopted only

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on that neceffity which deliberation could not overcome, and on that ftrong and imperative voice with which the people continued to demand the diffolution of the reprefentative body, who, in their opinion, had attempted to violate thofe great conftitutional principles which their conftituents had entrufted them to guard.

The bill which was introduced in the new Parliament in the room of the former which the Houfe of Lords had rejected, was really founded on the principle of controlling an authority which had been mifemployed, and of correcting abufes which had exifted in the Government of our Afiatic poffeffions. It was effential, for thofe purpofes, to eftablifh fomewhere a fuperintending and corrective power, to refift and remedy that corruption which had fo fhamefully pervaded the Adminiftration of Indian affairs. To refcue the natives of that great country, which was now become a part of the Britifh empire, from the rapacious tyranny to which they were expofed; to refcue the Company itfelf from the

the ruin which was likely to reſult from the malverſations of its ſervants; and, above all, to ſave the empire from that enormous miſchief which the corruptions of thoſe diſtant provinces were likely to bring upon it; were objects to which no ſlight inconvenience to individuals could, in ſound principles of national policy or of national juſtice, be oppoſed. But to make the proviſions remedial, not oppreſſive, to limit their extent to the neceſſity that occaſioned them, and to commit their execution to perſons neither intereſted to ſtrain their ſeverity nor relax their juſtice; theſe were the objects to which it became the Legiſlature to confine itſelf in the exerciſe of the corrective functions which it was now called upon to employ. It reſtrained therefore, though it did not abrogate, the powers of the India Company in its political concerns; but it left uncontrolled thoſe ſtrictly commercial tranſactions which did not interfere with the Government of Aſia or the welfare of Britain.

In the conſtitution of that Board to which the ſuperintendance of Indian affairs

was

was to be intrufted, the new bill endeavoured to provide for the unbiaffed exercife of that fuperintendance, by withholding as much as poffible the temptations of influence or patronage. It gave the Commiffioners the power which was neceffary for correction and control; but it denied them that which was likely to be fubfervient to domeftic ambition, or to endanger that counterpoife by which the Britifh Conftitution is fupported.

For the correction of abufes in India, a ftronger and more efficient government was neceffary in that country. We had fuffered as often from the want of power as from the want of integrity or ability in our Governors. The bill in queftion lodged in the hands of the Governor General and Council in Bengal a degree of authority calculated to enforce the meafures of reform and good government, which the interefts of both the parent-ftate and the provinces required. It took away the neceffity which had fometimes exifted of compromifing with abufes from the weaknefs of the hand that fhould have checked them. It gave an immediate efficient con-

trol upon the ſpot, ſubject again to the ſuperintendance and reviſion which it had eſtabliſhed at home, in order that the redreſs of wrongs might neither be tardy or defective from the want of power, nor be precipitate or immoderate from the want of reſponſibility. The ſame ſupreme effective authority in one of the Preſidencies over the others, was neceſſary towards the unity of political tranſactions, which had been formerly often conducted with the weakneſs of divided councils acting independently of each other. But the bill, with peculiar care, drew the line reſpecting the power of declaring war and commencing hoſtilities, at the ſame time that it ſtudiouſly prohibited all ſchemes of offenſive war, founded merely on the deſire of conqueſt, and of extenſion of empire, it provided the means of acting with vigour and effect in every caſe where war might become neceſſary on the principle of ſelf-defence, and it gave to the Government on the ſpot the power of immediately adopting ſuch meaſures and entering into ſuch engagements as might be neceſſary for the purpoſe of obtaining adequate reparation,

paration, and providing for future security*.

Among the provisions which this bill contained for the prevention and punishment of Indian delinquency, that to which the chief opposition was made was the institution of a new Board of Judicature for the trial of offences committed in India. But

* 24 Geo. III. C. 25. Sec. 34.

" And whereas to pursue schemes of conquest and extension of dominion in India, are measures repugnant to the wish, the honour, and the policy of this nation, be it therefore further enacted by the authority aforesaid, that it shall not be lawful for the Governor General and Council of Fort William aforesaid, without the express command and authority of the said Court of Directors, or of the secret Committee of the said Court of Directors, in any case (*except where hostilities have actually been commenced, or preparations actually made for the commencement of hostilities against the British nation in India, or against some of the Princes or states dependent thereon, or whose territories the said united Company shall be at such time engaged by any subsisting treaty to defend or guarantee*) either to declare war or commence hostilities, or enter into any treaty for making war against any of the country Princes or states in India, or any treaty for guaranteeing the possessions of any country Princes or states; *and that in such*

But the strong national attachment to the Jury trial of England, naturally over-ruled the

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such case it shall not be lawful for the said Governor General and Council to declare war or commence hostilities, or enter into treaty for making war against any other Prince or State than such as shall be actually committing hostilities, or making preparations as aforesaid, or to make such treaty for guaranteeing the possessions of any Prince or state, but upon the consideration of such Prince or state actually engaging to assist the Company against such hostilities commenced, or preparations made as aforesaid; and in all cases where hostilities shall be commenced, or treaty made, the said Governor General and Council shall, by the most expeditious means they can devise, communicate the same unto the said Court of Directors, together with a full state of the information and intelligence upon which they shall have commenced such hostilities, or made such treaties, and their motives and reasons for the same at large."

The provisions of this clause could not have been more explicit, if they had been made with a view to the actual circumstances which compelled the Government of India to enter on the present war with Tippoo, and to the measures which they thought necessary for the vigorous prosecution of it. It seems particularly to recognise (what indeed is obvious) the necessity of decisive measures in case of an attack, or even preparation for an attack, not only against the British nation, but against any of

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the objections againſt this mode of trial, when it was obſerved to be formed as nearly on the ſame model as the circumſtances of the caſe appeared to admit; and that in the conſtruction of this Judicature every precaution was taken that could tend to ſecure its reſpectability and impartiality. It ſeemed indeed very difficult, if not impoſſible, to give either efficiency or promptitude to any tribunal of which the proceedings ſhould be regulated preciſely by the ancient cuſtomary forms of the Engliſh law. The failure of national juſtice in the puniſhment of Indian offences had been but too often obſervable. In the preſent inſtance the objections to a Judicature, formed for the attainment of that juſtice, aroſe from men whoſe eloquence had frequently lamented the oppreſſion of Aſia, which in Britain they found no adequate means to redreſs or to expiate.

its allies; and it expreſſly gives in this caſe a liberty, which it withholds in ordinary times, to contract ſuch engagements with other powers in that country as may induce them effectually to co-operate with us in the proſecution of a juſt and neceſſary war.

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Leſs animadverſion was made on the clauſes enacting a public diſcloſure and record of the fortunes brought by individuals from India, though theſe proviſions might be deemed of an inquiſitorial kind, averſe to the genius of our law, and degrading to the national character. But the country was ſo ſtrongly impreſſed with the neceſſity of correcting the peculation and corruption with which the management of thoſe diſtant provinces had been ſullied, that it was willing to venture remedies of a ſtrong and ſomewhat invidious kind, if they were ſuch as did not trench on the public ſafety. This meaſure, however, produced very great diſcontents in India, and was afterwards repealed by the amending act of 1786. This laſt-mentioned law made another material alteration in the ſtatute of 1784, by enabling the Governor General, or the Governor of any of the ſubordinate Preſidencies, in any caſe where he believed a meaſure to be eſſential to the intereſts of the Company, to order ſuch meaſure of his own authority, even againſt the opinion of all the other members of the Council; but it coupled this power with an

an obligation on ſuch Governor to make oath to his belief of the utility of ſuch meaſure, and an acknowledgement of his ſole reſponſibility for its conſequences. This amendment was made on the principle already mentioned of the neceſſity of a ſtrong efficient Government in India. 'Tis a general truth in the character of mankind, that great ſituations make great minds, eſpecially when men are deprived of the ſhelter of divided reſponſibility, and can look in their own individual perſons to the pride of good actions, or the diſgrace of ill ones.

Let it, however, be remembered, that this obſervation is not an argument in favour of arbitrary Government, but rather one of the many proofs of the advantages of a free Conſtitution, which is enabled on great emergencies to delegate the neceſſary degree of diſcretionary power, becauſe it can provide a reſponſibility adequate to the importance of the truſt.

Such are the principal outlines of that ſtatute, which was one of the firſt great public acts of the laſt Parliament. It was a meaſure indiſpenſable in the circumſtances

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of the empire, a duty in the Legiſlature which had been often recommended to them by the Sovereign. It became the virtue and the dignity of Parliament to interpoſe in this vigorous and coercive manner for the intereſts of the ſtate, as well as for the ſake of public juſtice and humanity; it was conſonant to its wiſdom to endeavour to accompliſh thoſe ends, without forgetting the regard that is due to the franchiſes of individuals, and the great political rights of the community.

Amidſt the weakneſs and corruption of the India Company's Government, its finances could not but ſuffer a conſequent derangement. Its ſituation was held out by the ſupporters of Mr. Fox's India Bill to be ſo deſperate, as to amount to bankruptcy; and indeed, even in the ſober colouring of truth, the view of its affairs was ſo gloomy, that it required an immediate and vigorous exertion of parliamentary interpoſition and aſſiſtance to redeem them. To provide for the diſcharge of its debt, and at the ſame time not to ſink its credit by a ſudden reduction of its dividends, required an arrangement of its future tranſactions,

and a rigid adherence to its future economy, which the operation of the regulating law, and the ſtricteſt attention of the Board, which it had eſtabliſhed, could only effect. But in great concerns like thoſe of the Eaſt-India Company, the reform as well as the abuſe in detail produces a reſult which always exceed common expectation. By the effect of the ſalutary meaſures adopted for the reſtoration of its affairs, the Company has been enabled ſo effectually to retrieve them, as to be in a condition to provide for the payment of its debt, and to increaſe its trading capital to the extent which the *Commutation act* has neceſſarily occaſioned. The confidence of the Public in the preſent ſituation of the Company, and in the preſent management of Indian affairs, is beſt aſcertained by the preſent rate of its ſtock, which from 120 per cent. at which it ſtood before the paſſing of the act of 1784, is now at 188, even amidſt the uncertain events of a diſtant and expenſive war. The events of that war, (occurring indeed out of the period to which this *review* particularly applies) ſhew in a very pointed

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manner the effects of the prefent management of India on the revenues of the Company. Notwithftanding the immenfe exertions that have been made, and the very great expence attending them, an expence fwelled beyond all probable calculation by untoward and unlooked-for accidents, the treafury of the Company in India is able to anfwer every exigency of the war, without difappointing its mercantile inveftments.

This department of finance, though originally arifing out of the management of a Commercial Company, may now be fairly reckoned a national one. Parliament confiders it as fuch, and expects it to be annually laid before them, not only in the arithmetical refult prefcribed by the bill hereafter to be mentioned, but with that particular detail which is open to examination and canvafs.

This expectation indeed did not fo much arife from Parliament itfelf, as it was fuggefted to them by the laudable practice of the gentleman who prefides at the Board of Control.

There was indeed, as I have noticed above, in the conſtruction, as there is in the conduct of the Board of Control, a principle of pure and diſintereſted management, which naturally led to economical arrangements. A province was aſſigned to it ſeparate from that of the former managers of India ſo frequently cenſured, in which immediate advantage and immediate patronage were often at war with the great and permanent intereſts of the Company and the empire. The ſituation of the members of the Board of Control is one which preſents objects as an inducement to the diſcharge of their duty, capable of furniſhing the higheſt poſſible gratification to an honourable ambition; on the other hand, the proportion of patronage and the means of abuſe will be found to be ſo inconſiderable, that even in the moſt unfavourable view of human nature, they can hardly be thought to operate as a temptation in the oppoſite ſcale.

This ſubject being very much connected with the debates reſpecting the powers intended to be veſted by the India Bill of 1784 in the Board of Control, which took

place on occaſion of the *declaratory bill* brought into Parliament in 1788, it may be proper, though not in the order of time, to take notice here of the proceedings on that declaratory law.

On the alarm occaſioned by the diſturbances in Holland, the Directors of the India Company had concerted with Government to ſend out to India four regiments of the King's forces, which were to be tranſported in the ſhips of the Company, and the expences incident to which were to be defrayed out of its revenue. But when the Dutch buſineſs was ſettled, and affairs had reſumed their former pacific appearance, the Directors, with that œconomy which, in mercantile men, perhaps ſometimes ſuperſedes foreſight, declined burthening their military eſtabliſhment with what they conceived an unneceſſary reinforcement. The Board of Control, who had the beſt authority for believing the propoſed augmentation to be eſſential to the ſafety of the Indian territories, inſiſted on ſending the regiments by their own authority, in virtue of the powers conferred on them by the act of 1784. But

doubts having arisen on the construction of that act, and opinions of very respectable weight in the law having been given on the side of the Directors, it was judged proper to sanction the measure by the interposition of Parliament; and the Minister accordingly brought in a bill "for "removing any doubts respecting the "powers of the Commissioners for the "affairs of India, to direct that the expence of raising, transporting, and maintaining such troops as may be judged "necessary for the security of the British "possessions in the East Indies, should be "defrayed out of the revenues arising from "the said territories and possessions."

This measure was immediately represented as an attempt to acquire power of a dangerous extent; and the recollection of the strong and violent provisions of the bill of 1783, while it made the Public awake to every impression of this nature, was a motive for opposition to canvass the present bill with all the acrimony which the disappointment and unpopularity of their own measure naturally inspired. In this question there was more than the ordinary

dinary object of reſiſtance to adminiſtration; it was the conteſt of rival pretenſions, on a ſubject which had thrown the one party out of power, and inveſted the other with their preſent authority.

Againſt the principle of the bill it was contended, that a *declaratory* law cannot ſupply the omiſſions, or enlarge the proviſions, of the original ſtatute which it is meant to explain; for this would be to declare what never exiſted. Parliament, by paſſing ſuch a declaratory law, uſurps in its own cauſe a judicial power to which it is only entitled on an obvious ambiguity of expreſſion in the ſtatute to be explained, or the claſhing of judicial deciſions in the courts. Let this be called an enacting law, and the abſurdity of its title at leaſt would be avoided. But whatever name it aſſumed, it was equally (ſaid the oppoſers of the meaſure) a violent and unjuſt attack upon the rights of the Eaſt-India Company. It went to the annihilation of the power of that Company as much as the bill of 1783, againſt which ſo much clamour had been raiſed, but it did that inſidiouſly and indirectly which the other

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meant to do in an open and manly manner. "This bill, they argued, gives to the Board of Control complete power over the whole revenue of India; under the pretence of providing for the ſafety of their territories, that Board may employ what force it pleaſes; apply the revenues to the maintenance of that force, and ſo diſappoint the Company of its neceſſary inveſtments. This virtually goes to the control of their commerce, which, it was expreſsly declared, the bill of 1784 was to leave at the abſolute diſpoſal of the Company. It gives to the Board all the patronage which the diſpoſal of the revenue creates, all the power which that neceſſarily infers; power in the worſt poſſible way, without reſponſibility."

"In a conſtitutional view, it was urged, beſides this enormous patronage, which had in the act of 1783 been deprecated as a means of overthrowing the balance of the Conſtitution, there was in the preſent bill an acceſſion to the power of the Crown of the moſt alarming kind, a power of maintaining what troops it pleaſed in India without the conſent of Parliament. That,

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in the caſe in queſtion, the ſending thoſe regiments to India would be attended with the moſt hurtful effects to the ſervice there, by the offence which it could not fail to give to the officers of the Company, under whom their arms had hitherto triumphed over the numerous enemies with which their territories were ſurrounded. If the juſtice of their claims was not liſtened to, let the danger of diſregarding them be conſidered. Let it be remembered, that to ſuch diſcontents in the French army the ruin of their affairs in India might be imputed; and that there were not wanting inſtances of the moſt ſerious danger to ourſelves from the operation of ſuch diſcontents in our own army."

In defence of the bill it was urged, "that it only went to declare that power which the former law had undoubtedly meant to lodge in that Board which it conſtituted for the control and ſuperintendance of Indian affairs, and which power the Board of Control had accordingly exerciſed ſince the earlieſt period of its inſtitution. That Board, in its very eſtabliſhment under the act of 1784, had been

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meant and declared to be *an active and efficient institution.* But if it were to exercise the crippled and imperfect jurisdiction which it was now contended was only meant by that act to be given it, its activity would be useless, and its efficiency would be destroyed. The Commissioners were responsible for the safety of the territorial possessions, for the political government of India; they must therefore have the disposal of the revenue arising out of the provinces applicable to their defence and security. Of all powers, it was said, this is the most necessary to the Board, because it is a control of what was most likely to be faulty in the management of the company. Immediate profit and emolument is the natural object of trading companies; but the Board of Control must not forget that the defence of a country is more necessary than its opulence, and must provide for the first of these objects, if they shall happen to interfere, in preference to the latter. The Directors indeed might be naturally supposed, in the present situation of the Company, to have an additional motive for preferring investment to secu-

rity, in the view of the approaching expiration of their charter; but the great uſe of the Board of Control was, to look to the permanent intereſts of the empire, and not to barter national ſecurity for commercial emolument. For attaining this ſecurity, the meaſure of ſending out the regiments in queſtion was neceſſary; nobody could ſay how preſſing that neceſſity was; entruſted as that Board was with the political intereſt of the country and the nation, with the ſafety of provinces ſo eſſential to both, was it to wait the ſlow progreſs of judicial deciſion, and ſuffer meanwhile the territories of the Company to be loſt or endangered? If interference with the revenues of India in the Board of Control was illegal, and an uſurpation of the rights of the Company, it was now for the firſt time that it was diſcovered to be ſo. That interference had benefited the Company many crores of rupees annually; it had re-eſtabliſhed their credit abroad; it had furniſhed the means of paying a large part of their debts at home; it had given ſecurity to the land-holders in India. As early as the year 1785 it had prevented a mutiny

in their army by applying the revenue in the firſt inſtance to the payment of the troops, in preference to all other demands. Even in a mercantile view it had benefited them eſſentially, becauſe it had enabled them to increaſe their inveſtments by the regulation of their affairs and an œconomical retrenchment in the expences of their eſtabliſhment."

" As to the unconſtitutional power which this bill was ſaid to lodge in the Crown, it was argued, the idea was founded on a miſtake. Every Britiſh ſoldier, wherever employed, is under the control of Parliament; and for the very regiments now in queſtion the Houſe of Commons had voted the eſtimates. The mode of raiſing thoſe regiments was abſolutely neceſſary towards the expedition with which they were required. The nomination of their officers was of courſe with the Crown; but the Crown had allowed to the Company one half of the appointments, a proportion as high as could reaſonably be expected, when it was remembered, that there were 2800 officers on the half-pay liſt to be provided for,

many of whom had ſerved with diſtinction in India, and helped to maintain and defend the territories of the Company."

The candour of the Miniſter in his defence of this declaratory bill made a ſtrong impreſſion on the Houſe. He declared his own perfect conviction, "that the bill introduced by him in 1784, gave to the Board of Control the power which this bill declared, otherwiſe he ſhould have thought himſelf blameable for bringing in a bill ſo inefficient and nugatory. But he would not ſtand on the queſtion of conſtruction; he called on the Houſe to conſider the operation and tendency of the bill; to look to every queſtion it involved. Queſtions had been ſtarted on it, more important than the powers of the Board of Control, the conduct of the Eaſt-India Directors, or even the territorial acquiſitions of the Company; queſtions affecting the Conſtitution of Great Britain, which he held paramount to all others. If there were in this bill, or in that of 1784, any principles hoſtile to the Conſtitution, better that this ſhould be thrown out, and the other repealed, than that any ſuch principles ſhould be entertained

tained by a Britifh Legiflature. But before fuch an alarm was taken, let the Houfe confider its reality. This bill, he was decided in opinion, gave to the Crown no power to maintain an army in India independent of Parliament; if that were fo, he would be the firft to vote againft it; but nothing appeared to him fo miftaken a notion. Parliament voted every foldier in the army wherever employed; part of it was fent to India as it might be to any other part of the empire; but the control over its exiftence refted, and God forbid that it fhould ever ceafe to reft, with Parliament."

"With refpect to the patronage faid to be conferred by this bill, he muft repeat, that the leading and anxious feature of *his* bill had been to give fuperintendance and control, but to withhold patronage. For remedy of the abufes in India, and for the future prevention of them, there muft be an acceffion of power fomewhere; but his great object from the beginning had been, to give the Board of Control every power and faculty neceffary for thofe falutary purpofes, but without the patronage, of

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which he knew the danger to the Constitution. Every appearance of that danger, however, was too alarming to him, and he hoped to every Member of the House, not to be provided against by every possible means. He begged therefore that gentlemen would sift the bill in this respect to the bottom, and he would thankfully receive any provisions against such danger that could be proposed, let them come from what quarter of the House, or be delivered with what asperity of language they might. Himself would in the mean time propose some clauses which he thought would effectually remove such apprehension either from the power of the Crown, or the patronage of the Commissioners."

Three clauses were accordingly added to the bill by the Committee; 1st, for limiting the number of the King's troops and the Company's European forces in India; 2d, for preventing the increase of any salary in India, or the payment of any extraordinary allowance from the Company's revenue there, by the Board of Control, without the consent of the Directors, and an account laid before Parliament; 3d, for the

the Directors to lay every year before Parliament an account of the annual produce of the revenues, the deburſements and debts of the Company.

It may be gratifying to the Public to recollect the particulars of this diſcuſſion, and to compare them with the ſucceeding events in India. This augmentation of our force fortunately took place before any occaſion aroſe of actually putting our ſtrength to a trial; the war which has ſince broke out, and the events which have attended it, are a ſufficient proof of the neceſſity of theſe precautions; and the proſpect of final ſucceſs may principally be aſcribed to that ſtate of complete preparation which enabled us to meet this ſudden emergency with a proptitude and vigour before unexampled. Enough of the adminiſtration of India is now known to qualify us to judge of the effects of the power of the Board of Control, which was repreſented as ſo dangerous; by the exerciſe of that power the Company has been enabled to attain its preſent ſtate of growing wealth and credit, and to furniſh thoſe reſources the extent of which has been ſo fully manifeſted in

the operations of the prefent war. As to the fears of the effect of this bill on the Company's army in India, they will beft be anfwered by its late fervices; by its difcipline and its valour.

Previous to thofe permanent laws for the regulation of the affairs of the India Company, Parliament had frequently taken occafional and temporary meafures with a view to correct the abufes which had occurred in the management of its political and territorial concerns. Among thefe was the appointment of Committees, particularly of the *fecret* and *felect* Committees in 1781, which had inveftigated with unwearied affiduity the fubject of Indian Government, and had laid before the Houfe reports containing a very large and interefting body of evidence on that fubject. One of the members of the felect Committee was a gentleman not more admired for the extent of his information, the depth of his knowledge, and the brilliancy of his talents, than refpected for the virtues of his private character. In the courfe of his enquiries in this department,

partment, he had conceived a very ſtrong and decided opinion, that the late Governor General of Bengal had been guilty of great official malverſation, and had often ſignified to the Houſe, in very pointed terms, his intention of making the various abuſes of that gentleman's Government the ſubject of parliamentary enquiry. Some of the friends of Mr. Haſtings, with a zealous attachment to his perſon, and a perfect confidence in the merits of his adminiſtration, had frequently preſſed this gentleman to come forward with his threatened accuſations, which they ſaid Mr. Haſtings, now returned from his Government, was extremely deſirous to meet. Mr. *Burke*, thus called upon, at laſt brought forth the charge he had meditated; and on the 17th of February, 1786, (after having read a reſolution of the Houſe in 1782, which contained a cenſure on certain meaſures of the Governor General, and declared the opinion of the Houſe of Commons that he ought to be recalled, he proceeded to move for certain papers to be laid before the Houſe, on which he meant to found an impeachment againſt Mr. Haſ-

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tings, for his various delinquencies in India. He afterwards collected his charges into one paper, which was laid before the Houſe, and circulated through the nation. The nation, though never deficient in a ſenſe of juſtice and humanity, was in this caſe favourably diſpoſed to the perſon whom theſe charges held forth as a delinquent. The impreſſion of the vigour and ability of his Government in India, during a criſis very important to this country, had been pretty generally received. He had been continued in his Government there, ſubſequent to thoſe reſolutions in 1782, which his accuſer had aſſumed as the foundation of his charges; and it was a prevailing opinion among men moſt converſant with India, that his conduct in that Government had extricated this country from the various difficulties and dangers of a war which had threatened the very exiſtence of the Britiſh power in that quarter of the globe. Succeſs is too often the criterion of the people's opinion. In this caſe, they compared the ſucceſs of Mr. Haſtings in India, with the national diſaſters in another hemiſphere, where the enormous corruption

tion and abuſe of individuals had not been redeemed by a ſingle advantage to the Public. The character of Mr. Haſtings's accuſer, though highly reſpectable for its virtue and its ability, was tinctured with a degree of enthuſiaſm of which the Public was diſpoſed to doubt the diſcretion or the juſtneſs. In purſuit of a favourite meaſure, with all its intrinſic worth, its native energy, and its acquired endowments, the mind of Mr. Burke was often a leſs ſafe guide of public opinion than thoſe of much inferior men. Its qualities were frequently carried to an exceſs, in which they loſt their eſtimation and their uſe. The warmth of his feelings ſometimes betrayed him into what had the effects of inhumanity, and his ſenſe of right puſhed to an extreme, became injuſtice.

Diſtruſtful of the warmth of his accuſation, and inclined to give Mr. Haſtings credit for the ſucceſsful iſſue of his Government, without examining too nicely the detail of his conduct, the Public looked to the impeachment as a meaſure which the Houſe of Commons was not likely to adopt. They expected Mr. Haſtings to

have anſwered with that general reference to the ſucceſs of his adminiſtration which themſelves were accuſtomed to make: " I " preſerved for the Company and the na- " tion their Aſiatic dominions, when aſ- " ſailed by a combination of powerful and " determined enemies; amidſt a war in " moſt other places diſaſtrous, my exer- " tions repelled the attacks of their ene- " mies, maintained the reputation of your " army and the ſecurity of your poſſeſ- " ſions, and finally accompliſhed that peace " which laid the foundation of the ex- " tended commerce and the increaſing re- " venue of your Eaſt-India Company. If " in the attainment of theſe great and ar- " duous ends, ſome irregularities may " have occurred, which the nature of " the country, the extent and multipli- " city of objects, or the exigency and the " preſſure of the time may have occa- " ſioned, theſe are the tax which is com- " monly paid for the efficiency and vigour " of public meaſures. Theſe I leave to " your judgment, and abide the cenſure " which you ſhall think they deſerve. It " may perhaps blunt your cenſure, it will

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"at leaſt alleviate my feeling of it, to re-
"flect, that by thoſe means, in which
"my accuſers may find imperfections and
"error, I have ſaved an empire to my
"country."

Such was not the kind of defence on which Mr. Haſtings choſe to rely. He ſtepped from behind that ſhield which the opinion of his ſervices and the gratitude of the Public might have ſpread before him, and challenged an enquiry into every ſeparate tranſaction which his accuſer had detailed againſt him. He gave to the Houſe of Commons and to the Public a particular and elaborate anſwer to every article of the charge which Mr. Burke had exhibited. That anſwer was unfortunate in ſome points, and as to theſe Mr. Haſtings was afterwards obliged to depart from it. This threw a diſcredit on his defence in general, while the mode of it remained as objectionable as before. It obliged the Houſe of Commons to pronounce on each ſeparate individual charge on which Mr. Haſtings was thus at iſſue with his accuſer. After an aſſiduous and impartial examination of the evidence, their deciſion was unfavour-

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favourable on many of thoſe articles; and in conſequence the impeachment was voted.

That impeachment is ſtill depending, and in ſuch a ſtage of the buſineſs it were improper to enter more particularly into its nature or its progreſs. It has produced one important conſequence in ſettling the conſtitutional point of the *non-abatement of an impeachment by a diſſolution of Parliament*; a point which it is for the honour of the times, that the Miniſters of the Crown warmly contended to eſtabliſh. The adherents of Mr. Haſtings, with a friendſhip almoſt always miſapplied, a zeal almoſt always miſtaken, reſiſted the continuance of a proceeding, by which alone the honour of that gentleman could be cleared from the attacks which had been made upon it; and on ſome ſubſequent occaſions ſeemed to reſent the opinion which the immediate officers of the Crown had given on that ſubject, ſo much to the honour of their unbiaſſed integrity. On the other hand, the long continuance and enormous expence of this proſecution have impreſſed the

the Public with an idea of the hardſhip of the proceeding by impeachment, and brought ſomewhat of odium and diſrepute on this great prerogative of the people. But it is not the leſs ſalutary in its exiſtence, though in this particular inſtance it may have been a hardſhip on the individual. That it ſhould be ſparingly exerted is equally ſuitable to its dignity and its juſtice; but that it ſhould be capable of exertion, is important to the purity of public truſt, to the ſafety and the freedom of the community.

SECTION II.

TRADE.

Iriſh Propoſitions.—Commercial Treaty with France.—Conſolidation of the Cuſtoms.—Trade with America.—Comparative State of Trade and Navigation.

ANOTHER part of the empire which, equally with India, ſeemed to require the imme-

immediate attention of Government, was Ireland. At the period of diſtreſs and embaraſſment which Great Britain felt during the courſe of the late unfortunate war, Ireland had wrung from our weakneſs or our fear, what our juſtice ſhould have formerly allowed her, a participation of the benefits of commerce with foreign countries, and with our colonies. But the commercial intercourſe between this country and Ireland was liable to a variety of reſtrictions and prohibitions, of which Ireland then loudly complained, as tending to create an inequality in the encouragement of the national induſtry of the reſpective countries; and which inequality ſhe threatened to take meaſures of an unfriendly ſort to overcome. To remove this ground of complaint; to adjuſt the commercial intercourſe between the two countries on a fair and equitable footing; to unite both kingdoms, if poſſible, by reciprocal advantage, and to take away that ſort of mutual jealouſy and alienation which the prohibitions againſt a free interchange of the commodities and manufactures of each neceſſarily tended to create, were objects which had

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been particularly recommended to Parliament from the Throne, and which every perſon wiſhing well to the happineſs of either country could not fail to deſire. With a view to attain theſe objects, certain propoſitions had been brought into the Iriſh Parliament by His Majeſty's Miniſters in that country, on which a ſet of reſolutions had been adopted by the Iriſh Parliament, which were ſoon after ſubmitted to the conſideration of the Britiſh Houſe of Commons for its acquieſcence in the general meaſures they ſuggeſted. The baſis of theſe reſolutions was, as the firſt of them expreſſed, the extenſion and encouragement of the trade between Great Britain and Ireland, ſo important to the general intereſts of the empire; and a ſettlement and regulation of the intercourſe and commerce of the two countries on permanent and equitable principles for the mutual benefit of both. The particular propoſitions ariſing out of this general principle were briefly as follow:

That foreign articles ſhould be importable from either kingdom into the other under the ſame regulations and duties as

when imported directly from the place of their growth or manufacture.

That on articles of the produce or manufacture of either country, no prohibition should exist to prevent their importation into the other country, and that if subject to a duty, such duty should be equal in both countries. That for this purpose, articles charged in either kingdom with an internal duty on the manufacture, or a duty on the material of which it is composed, should be charged on importation from either kingdom into the other with a duty equal to such internal tax on the manufacture, or to an amount to countervail the duty on the material.

That in order to give permanency to the settlement, no prohibition or additional duties should hereafter be imposed in either country on the importation of any articles of the produce or manufacture of the other, except what might be necessary to balance the duties on internal consumption before mentioned; and that no such prohibition or additional duty should be hereafter imposed in either kingdom on the exportation of any native article to the other, except

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where prohibitions already exiſt which are not reciprocal, or duties which are not equal. And the ſame regulation was adopted to equalize bounties.

That the importation of foreign articles into either kingdom ſhould be ſo regulated from time to time as to afford a preference to the importation of ſimilar articles, the produce or manufacture of Great Britain or Ireland.

In return for the benefits which ſhe was ſuppoſed to receive from this commercial regulation, Ireland agreed to contribute towards the naval force of the empire, whatever ſum the *hereditary revenue* of that kingdom ſhould produce beyond 656,000l., which was its amount at the time.

Between the time of the firſt introduction of theſe propoſitions in the Houſe of Commons, and the day to which their conſideration was adjourned, a report was laid before the Houſe from a Committee of the Privy Council, (now the only ſubſtitute for the Board of Trade, aboliſhed by Mr. Burke's reform bill,) who had been aſſiduouſly employed in conſidering the effects of theſe propoſitions, and in

examining many of the principal merchants and manufacturers with regard to their probable tendency.

Mean time the natural jealousy of trade, even exclusive of the alarm which party opposition might be supposed to excite, had prompted several meetings of persons interested in the articles of commerce and manufacture to which the propositions related; in which meetings their effects on the home and foreign markets for such articles were canvassed. Many of the principal manufacturers were examined before the Committee of the House in addition to the evidence which had before been taken by the Committee of Privy Council. It is but justice to those gentlemen to remark, that most of them delivered themselves with a candour and liberality, as to the probable competition of Ireland, beyond what has been generally allowed to the prejudices of professional character; though in some instances perhaps there appeared a tincture of that spirit of monopoly which dreads any chance, however distant, of the participation of others in its profits.

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From the information thus obtained, many new lights were thrown upon a ſubject of a very extenſive and complicated kind; and the Miniſter was enabled, at the diſtance of ſeveral months from the firſt introduction of the propoſitions, to lay before the Houſe a ſet of reſolutions formed, with conſiderable alterations and corrections, with reſpect to the detail of the general propoſitions tranſmitted from Ireland. Theſe conſiſted principally in the following particulars:

A ſtipulation for the excluſive trade of the Eaſt-India Company, by Ireland's being debarred from trading to any of the countries beyond the *Cape of Good Hope* to the *Straits of Magellan*; giving however certain advantages to Ireland from the commerce of that Company, by allowing it to freight ſhips from that country, to ſend its veſſels to Ireland in their voyages from Britain, and to take on board there the commodities and manufactures of that kingdom.

A ſecurity for the execution of navigation laws which Great Britain ſhould find it neceſſary to enact for the increaſe and encourage-

encouragement of her marine, by ſtipulating that the Legiſlature of Ireland ſhould paſs the like laws in order to impoſe the ſame reſtraints, and confer the ſame benefits, on the ſubjects of both kingdoms.

A protection againſt introducing foreign ſpirits, that is, ſpirits not the produce of our own colonies, into Great Britain from Ireland.

Certain proviſions for the ſecurity of the revenue in both countries, by the uſe of bonds, cockets, and other cuſtom-houſe inſtruments, in the trade between the countries; and of plantation certificates for Weſt-India commodities imported from Ireland into Great Britain.

An exception of corn, meal, malt, flour, and biſcuits, from the free importation ſtipulated for the articles of the one country into the other; reſtrictions on theſe articles being deemed neceſſary to be allowed in time of ſcarcity, incidental to either country. A ſtipulation was likewiſe annexed to the propoſition for a reduction of the duty in the kingdom where it was higheſt, to its amount in the kingdom where it was loweſt, provided ſuch reduction ſhould

not bring it down below the rate of 10½ per cent.

An equalization in the two countries of duties and burthens on the imports from, and exports to, the Britiſh colonies in the Weſt Indies and America, or ſettlements on the coaſt of Africa; and a like equalization on goods imported from the North-American ſtates.

To theſe propoſitions, brought before Parliament in this amended form, a very violent oppoſition was made. A variety of objections were urged againſt thoſe which related to foreign commerce as well as thoſe which regulated the mutual intercourſe between the two countries. "The former, it was ſaid, expoſed this country to the danger of having the produce of her own colonies brought to her market through the medium of Ireland, which would thus reap the advantage of being the carrier for Great Britain if ſhe did not even import them on her own capital. In the laſt caſe ſhe could ſend her manufactures to the colonies cheaper than England, and by exchanging them for colony produce, underſell this country. That there

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was a farther and ſtill greater danger from the ſmuggling of foreign colony produce from Ireland into Great Britain under colour of its being the growth or produce of Britiſh colonies. That by theſe propoſitions we entruſted the execution of our navigation laws to Ireland, whoſe attention to their obſervance we could not expect, and whoſe encouragement to their violation there was reaſon to fear. That the guard we meant to provide for theſe laws in the new propoſitions, by which it was conditioned that the Iriſh Parliament ſhould paſs ſimilar laws for Ireland to thoſe which Great Britain ſhould hereafter find it neceſſary to enact for the benefit of her marine, was a ſtipulation which the Iriſh would never agree to, as it would in fact be a renunciation of that right to legiſlate for themſelves which they had ſo nobly ſtruggled for and obtained. Againſt the other part of the propoſitions which regarded the interchange of commodities between the two countries, it was urged, that the cheapneſs of proviſions and low price of labour in Ireland would give a decided advantage to that country in the ſale of ſuch

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commodities. That an emigration of our artiſans and manufacturers was on theſe accounts a danger reaſonably to be feared, and that by the encouragement which theſe propoſitions held forth to Ireland, we riſked the exiſtence of our manufactures, and that very great internal revenue which the ſtate draws from their produce."

"The compenſation, it was argued, which Great Britain was to receive for the boons now granted to Ireland was nugatory in the extreme. The hereditary revenue of that kingdom at preſent yielded little more than one half of the ſum now ſtipulated to be firſt appropriated to Ireland, after which Britain was only to receive the ſurplus. That this ſurplus, if ever it amounted to any thing, would be received by Great Britain in a manner adverſe to the wiſe and ſalutary guards of her Conſtitution, which granted money for the executive purpoſes of Government only by way of temporary ſupply, and not for a permanent and independent period."

In vindication of this meaſure, and of its general tendency, it was argued, "that it was only a neceſſary ſupplement to thoſe

measures which had been formerly adopted for the purpose of more closely uniting and securing the connection between the two countries, so necessary towards the safety and prosperity of both. Parts of the same empire, Great Britain and Ireland were not to look on the growing prosperity of each other with the unfriendly aspect of foreign rivalship. Connected as they were, it was not to be assumed that whatever one country gained was lost by the other; on the contrary, the fair and equal extension of their industry and commerce would in most cases be the mutual advantage of both countries, and increase the separate wealth, population, and power, of each, as well as the aggregate belonging to both nations jointly, as forming the two great limbs of the British empire."

In the detail of the propositions it was contended, " that most of the objections on the score of foreign commerce, and the intercourse of Ireland with the British colonies, were founded on inattention to the present situation of that kingdom in those particulars. Under the laws at present subsisting, Ireland could freely trade with every

every foreign ſtate, ſupply them with her produce and manufactures, and bring home theirs in return. She had a ſimilar privilege of a direct trade with the Britiſh colonies, and could ſupply the Britiſh market with the produce of thoſe colonies in Iriſh ſhips freighted immediately from the colonies to Great Britain. The only advantage therefore which Ireland was to derive from the preſent propoſitions in this reſpect was, that ſhe could land colony cargoes in Ireland, and thence export to Britain the ſurplus which herſelf did not conſume, for the chance of an eventual market there. It was not likely that by this circuitous trade ſhe could underſell Great Britain in the Britiſh market; the only chance ſhe had for an advantageous ſale there was, the extravagant monopoly price which colony produce may ſometimes bear in this country, of which the reduction is a meaſure expedient as well as juſt on the trueſt principles of policy and of commerce. That as to the danger of foreign colony produce being ſmuggled through Ireland into this country, beſides that the riſk would be run only for the chance of the ſurplus of the

Iriſh conſumption, it was a double riſk, firſt, againſt the proviſions of the Iriſh, and next, againſt thoſe of the Britiſh revenue laws, which was not near ſo likely a method for the ſmuggler to practiſe as that which at preſent was open to him, of ſmuggling articles from foreign colonies into our iſlands, and thence importing them under falſe certificates into this kingdom. That the objection, of theſe propoſitions truſting the execution of our navigation laws to Ireland, applied to the acts already paſſed in the 20th and 22d year of his preſent Majeſty's reign, and yet that we had heard of no complaint of any hurtful relaxation of thoſe laws by the Iriſh officers. To the objection, on the other hand, that Ireland could not be expected to conſent to the adoption of our future regulations for the benefit of our marine, becauſe that would be to allow our Parliament to legiſlate for Ireland, it was anſwered, that the very reference to the Parliament of Ireland made in the propoſition alluded to was an acknowledgement of the independant legiſlation of that country; but that the ſtipulation to adopt ſimilar laws to thoſe which this

country

country ſhould enact, was a condition neceſſary to the common ſafety and protection of the empire, which depended on the proper ſupport of her naval force; and that it was no more a dependant and abſolute obligation on the Iriſh Parliament than ſeveral of the other reciprocal obligations contained in this agreement, or than any ſtipulation by treaty between two abſolutely independant ſtates."

In reply to the objections againſt the ſecond part of the propoſitions, relating to the intercourſe between the two countries, it was contended in general, "that the nominal cheapneſs of labour, and the low price of many articles of proviſions in one country, was amply compenſated by the ſuperiority of ſkill and of capital in the other. That there was a diſtinction between the *rate of wages* and the *rate of labour*; and though the firſt might be lower in Ireland, yet in fact the laſt was rather cheaper in Britain, as had appeared from the evidence of a principal Iriſh manufacturer. That the removal of an eſtabliſhed manufacture was every where a matter of the greateſt difficulty; and that Ireland

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was in a ſituation by which that difficulty was exceedingly increaſed. That the duty of 10½ per cent. was a fair protection for the home manufacture, becauſe it was unwiſe in either country to apply its labour or its capital to any manufacture in which the other could underſell it with the burthen of 10½ per cent. ſuperadded to the neceſſary expence of carrying it to the market of the neighbouring kingdom. That of the articles at preſent prohibited from Ireland, or of which the importation is reſtrained by high duties, the principal are ſuch as England poſſeſſes great advantage in, from her having the raw material cheaper or more at command; and that with regard to the others, the equalizing duties in proportion to our exciſe on the manufacture, would fully protect us from any bad effects which might ariſe from their introduction into Britain."

The compenſation to Britain by an appropriation of the exceſs of the Iriſh hereditary revenue, beyond a given ſum, to the ſupport of the naval force of the empire, was defended from the charges made againſt it in both the points of view above ſtated.

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"It muſt from its very nature increaſe, (it was ſaid), in proportion to the proſperity of Ireland, which ſhe was thus to recompenſe Great Britain for promoting. The permanent grant of it was a neceſſary exchange for the permanent benefits it compenſated; and being ſubject to the application of Parliament, could never tend to that unconſtitutional relaxation of the checks on the executive power which was held forth by the oppoſers of the meaſure, as a danger to be apprehended from its appropriation."

Such were the principal arguments urged on either ſide in a queſtion equally delicate and momentous to both countries. After a diſcuſſion of ſeveral months the propoſitions were aſſented to by a large majority of both Houſes of the Britiſh Parliament; and a bill founded upon them was brought in, and read a firſt time before the cloſe of the Seſſion of 1785.

It remained to procure the aſſent of the Parliament of Ireland to thoſe propoſitions now returned to them with the amendments deemed neceſſary to ſecure an equality in the agreement to Great Britain. In the Parliament of Ireland they were

oppoſed

oppoſed as ſtrenuouſly as they had been by the minority in that of Britain. The commercial miſchiefs to be apprehended from them to Ireland were now argued as decidedly on that ſide of the water; as the diſadvantages which they were to produce to the ſiſter kingdom had been held forth on this. The pride of newly-acquired power rejected any thing which looked like an infringement on the national independance of Ireland. Great offence was taken at the ſuppoſed attempt to trench on the legiſlative authority of her Parliament; and the appropriation of the ſurplus of her hereditary revenue, low as it ſtood in the preſent period, was conſidered as equally derogatory to her dignity, and diſadvantageous to her intereſt. The order for bringing in a bill for carrying the propoſitions into effect was carried by ſo ſmall a majority, that the officers of the Crown in Ireland did not think it proper to perſiſt in a meaſure repugnant to the wiſhes of ſo conſiderable a part of the repreſentatives of the people.

Such was the reception of thoſe propoſitions in Ireland. It had been imagined

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by men who had confidered this fubject with the calmnefs of philofophy and experience; that any meafure which connected Ireland with a country fo much more advanced in civilization, in arts, in commerce, and manufactures, as Great Britain, would be received with avidity. It is no part of the plan of this work to enter into an invidious detail of the circumftances which counteracted the natural influence of thefe confiderations; from whatever caufes they proceeded, it muft be the deliberate judgment of hiftory, that they obftructed a meafure, the confequences of which would have been highly beneficial to Ireland as well as to Great Britain.

Another meafure adopted by the late Parliament, founded on the fame liberal principle, but of a more fortunate iffue than the preceding, was the commercial treaty with France.

National prejudices, in conjunction with thofe of commerce, had hitherto fhut the markets of France and England refpectively againft many of the commodities of the other. Between thofe countries there

was a war of prohibitions and high duties, which, in moſt articles of their mutual conſumption, threw the trade into the hands of ſmugglers. The publications of an author, in whoſe mind, beyond that of any writer of his time, was genius chaſtened by wiſdom, and wiſdom enlightened by knowledge, had changed in a great meaſure the opinions of mankind on the ſubject of commercial reſtrictions, and ſhown how much was to be gained by reſtoring to trade its natural freedom, by which the ſurplus commodities of one country could be fairly exchanged for thoſe of another. France and England felt in a particular manner the juſtice of his doctrines; and it was an article in the peace of 1783, that the two countries ſhould take meaſures for ſettling a commercial treaty between them.

In purſuance of this agreement, Mr. Eden was diſpatched to Paris in the beginning of the year 1786, to negotiate a treaty of navigation and commerce with France. That treaty was concluded on the 20th of September in that year. Particular notice was taken of it in His Ma-

jesty's speech on opening the session in January, 1787; and it was soon after laid before Parliament for the purpose of their taking such measures as might be necessary for carrying it into effect.

The provisions of this treaty were calculated to take off those restraints which the two countries had heretofore mutually imposed on their commercial intercourse with each other — to give to the subjects of either country that protection for their persons and properties which is dictated by the liberal humanity of modern times — to establish a Tariff to fix the rate of duties, which for the most part was not higher than 12 per cent., on the importation of those articles of the produce or manufacture of the respective kingdoms which were most likely to be the leading objects of their commerce—to put on the footing of the most favoured nations the goods not particularised in that Tariff—and to avoid by stipulations of a friendly sort the occasions of misunderstanding and quarrel, which might chance ro arise in the navigation or commerce of either power with other countries.

In the diſcuſſion which this treaty met with in Parliament, conſiderable objection was made to it in a political view, as tending to throw Great Britain into the arms of France, and to blunt that wholeſome jealouſy which this country had always entertained of her rival nation. "France, it was maintained, was the unalterable political enemy of Great Britain, and indeed the political enemy of the liberties of every ſtate of Europe. Amidſt the levity and mutability of her national manners, her cabinet had purſued an uniform invariable ſyſtem of univerſal dominion. In this ſyſtem ſhe had been checked and baffled by the oppoſition of England, whoſe power had often reſcued the liberties of Europe from the attacks of her reſtleſs ambition. It was unwiſe therefore to agree to any meaſures tending to abate our national diſtruſt and jealouſy of France, which had ſo often afforded a barrier againſt her encroachments on the liberty and independence of the nations around her."

In a commercial view the treaty was oppoſed as a raſh and unadviſed alteration of a ſyſtem under which this country had attained

attained a very high degree of eminence and prosperity. "The great advantages we possessed ought not, it was argued, to be staked against the prospect of distant and speculative benefits. In our commercial intercourse with France, we are to take her produce which is exclusively hers, and in which, from soil and climate, we never can rival her. But in the articles of our manufactures, she has already made considerable progress, and in a little time will be able to enter into competition with this country. The Tariff established between the two nations, would, it was observed, cause a great and immediate diminution of our revenue by the lowering of the duties on the staple commodities of France, her wine and brandy, and the consequent abatement that must be made on the rum of our own colonies, and the wines of Spain and Portugal."

The danger to which this treaty with France exposed our commerce with other countries, and particularly with Portugal, was strongly urged by the members in opposition. The importance of a rigid adherence to the Methuen treaty, was argued from

from the advantages which it afforded us in a great annual balance of trade in our favour, besides the acquisition of two millions of pounds of cotton, the raw material of one of our most valuable manufactures.

The arguments for the measure were drawn from the relative situation of the two countries, which pointed out, it was said, in the strongest manner, the advantages to be derived to both from a mutual exchange of their respective commodities. "By nature France was much more richly endowed than Britain; but the equality of our laws, and the freedom of our Government, gave to our enterprises an energy, to our industry an animation, which fully balanced these advantages of soil and climate. France had her produce to send to Britain; Britain her manufactures to barter with France. Such interchange, it was argued, was peculiarly favourable to Britain, who obtains a market of 24 millions of people in exchange for one of 8 millions. France gained a market for her produce, which employed in its preparation but a few hands, gave little encouragement

ment to the navigation, and comparatively but little increaſe to the revenue of the ſtate. Britain opened a market for her manufacture which employed in their immediate operation a great number of her people, and in their diſtant effects, the importation of raw materials and conſumption of various commodities, paying internal duties, contributed moſt extenſively both to the public force and the public revenue."

"In its political aſpect, it was argued, the treaty promiſed that moſt eſſential advantage to both nations, the promotion of a friendly intercourſe between them, and the removal of that ſort of preſcriptive animoſity which had been the cauſe of ſo many wars deſtructive alike to both countries. The doctrine of unalterable hoſtility between two nations was reprobated as the weakneſs of vulgar prejudice, neither founded on the experience of nations, nor the hiſtory of man. But even if this argument, implying a ſatire on our ſpecies, and a libel on political inſtitutions, were allowed, the preſent treaty would not be affected by it. It gave up none of

our political power to France; it weakened none of our national energy; it leſſened none of our national revenues; on the contrary, as it increaſed our commerce, it neceſſarily added to both."

"The danger of an interference with our commerce with other nations, it was ſaid, was perfectly unfounded. The inſtance of Portugal ſo much inſiſted on by the oppoſers of the treaty, did not in the ſmalleſt degree apply. Explicit proviſion was made for the fulfilment of our engagements with Portugal. The intereſts of that country and Great Britain are reciprocal, and therefore it is to be preſumed that the good ſenſe of both countries will attend to them. But if there had appeared on the part of Portugal any inclination to deviate from the ſpirit of the Methuen treaty, the miniſters of England would be more likely to obtain a fair and full execution of it, having this commercial arrangement with France in their hands, than they could expect to obtain without it.

"The probable effects of this treaty on our revenue were argued as preciſely oppoſite to thoſe which the members in oppoſi-
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tion predicted. When it was considered that the present high duties on our French articles of consumption threw by much the greatest part of the trade in those articles into the hands of the smuggler, from which France drew all the benefit which she would do on a lawful importation, while we lost the whole produce of the duties due on such commodities, it was a well-warranted conclusion that our revenue would be increased, instead of being diminished, by the lowering of the duty on the articles specified *."

To the alledged danger to our manufactures a general answer was given, "that the manufacturers themselves, generally quick sighted and attentive to their interests, had, on this occasion, acquiesced in the provisions of the treaty, and several of them had indeed signified their approbation of the measure, as one calculated to increase and encourage the industry of this country."

* How this has turned out in experience, see afterwards under the subject of Finance.

In one of the debates on this treaty in the Houſe of Commons, Mr. Burke expatiated, in that glowing language for which he is ſo conſpicuous, on the advantages and influence of *Britiſh capital.* "The powers of this capital," he obſerved, "were irreſiſtible in trade: it domineered, it ruled, it tyrannized in the "market: it enticed the ſtrong and controlled the weak." It could only be from party prepoſſeſſion that a mind ſo penetrating and comprehenſive as that of Mr. Burke did not ſee how ſtrong an argument this afforded for that extenſion of the ſphere and operation of this capital which was furniſhed by the treaty in queſtion. His extravagant ingenuity ſuggeſted the danger ariſing from that ſort of partnerſhip which an open commercial intercourſe might give to France in the Engliſh capital, and attributed to the French Councils the depth of ſuch a deſign, for which they were content to allow to England ſome temporary advantage in the preſent commercial ſtipulations.

It was remarkable, that in the debates on the French treaty pointed reference was made

made by the minority to the *Irish Propositions*, and to the opinions of the manufacturers on that subject, from which they argued a similar danger to the British manufactures from the present measure, though the manufacturers themselves, tempted by the prospect of immediate advantage, had not come forward to state it. Administration, though they still contended that the objections against the Irish Propositions were ill founded, endeavoured also to show the difference between the two cases, and to refute the analogy observed between them. That there were differences between the two cases must be allowed. On one hand, the Irish were to receive some advantages which the present treaty did not give to the French; and Great Britain had not in the proposed intercourse with Ireland the same prospect of an immediate and extensive market as in that with France. On the other hand, her close connection with her sister kingdom placed her communication with that country in a very different point of view; the benefits to be derived by Ireland flowed not, as might be argued of those to France,

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in a rival or adverſe channel, but would naturally tend to the general proſperity of the empire. But, to an impartial obſerver, the leading principles of both caſes were the ſame; the extenſion of productive induſtry, and the intercourſe of beneficial commerce between the two kingdoms. An impartial obſerver of the preſent time will argue from what are the effects of the French treaty to what would have been the effects of the Iriſh, the mutual advantage of both countries.

To the common eye, however, this mutual advantage is not always viſible, and ancient prejudice does not eaſily give way to truths which contradict her habits of thinking, however demonſtrative they may ſeem to wiſdom or philoſophy. It is, I believe, a fact pretty well known, that the cotton manufacturers of Normandy remonſtrated with *M. de Vergennes* on the ruinous effects which the propoſed Commercial Treaty with England would have on their eſtabliſhments. That ſagacious ſtateſman replied, that if the ſtipulated duty of 12 per cent., added to the expences of tranſport on the Engliſh commodities, were not

ſufficient to protect thoſe of Normandy, it was a proof either that induſtry was wanting to the ſucceſs of the latter, or that their induſtry was miſapplied to an improper object.

A meaſure coeval and connected with the Commercial Treaty was the Bill for the *Conſolidation* of the Cuſtoms, Exciſe, and Stamp Duties. The branches of thoſe revenues, particularly of the Cuſtoms, were compoſed of ſuch a number of minute and complicated impoſts, which had been laid on at different times, as the neceſſities of thoſe periods required, that to compute the total aggregate of duty on any article was a matter of much intricacy and difficulty, and no man who was not conſtantly employed in the practice was equal to it. This had thrown ſuch computation and charge entirely into the hands of the officers of the revenue, on whom the merchants were, therefore, in a great meaſure, dependent for its accuracy; and from the ſame cauſe there was a ſort of agency eſtabliſhed in the former for the affairs of the latter,

ter, improper in their reſpective ſituations. The plan, therefore, which this bill adopted was to aboliſh thoſe various and complicated branches, and to ſubſtitute in their ſtead one ſingle duty on each article, equal in its amount to the total of ſuch branches. By a reference to this ſingle charge in the tables containing the different articles of merchandize, the duty due on each was inſtantly aſcertained, and all the inconvenience, difficulty, and delay, ſo long felt and complained of in ſuch buſineſs, were removed. The Public gained, on the whole, a ſmall advantage by this meaſure, as on moſt of the articles where a fraction was found in the total of the branches the integer ſum immediately above ſuch fraction was adopted. This trifling addition was more than compenſated to the trader by the facility which it afforded in the tranſaction.

This meaſure was ſo obviouſly expedient, that all parties concurred in its approbation. To a man converſant in the ſubject of revenue regulations it might perhaps ſuggeſt another, in ſome degree congenial to its ſpirit and tendency, a Con-

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ſolidation of the *Laws*, as well as of the duties of the various departments of the public revenue. Theſe are now ſo numerous and ſo complicated as to form one of the largeſt and moſt difficult parts of the national code, and from the various references with which each ſubſequent ſtatute is loaded an obſcurity and perplexity attends them, often embarraſſing to the officer or oppreſſive to the trader in the execution of their proviſions. The taſk of reducing theſe into a ſyſtem, and forming a revenue code, ſimple and uniform in its exactments, would indeed be a buſineſs of conſiderable difficulty, and might not meet with ſo favourable a reception as that juſt mentioned from the different parties concerned in its effects. But it would certainly be a uſeful and not an impracticable taſk, and might be performed under the auſpices of a vigorous and popular Adminiſtration.

Under the ſubject of Commercial Arrangements may be mentioned the regulations for the trade with America, which

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was one of the earlieſt proceedings of the Parliament of 1784; for this, in the new ſituation which the independence of America preſented, it was neceſſary to provide in ſuch a manner as to give to the trade of the country, and her ſtill remaining colonies, every advantage which intercourſe with the American States could produce, yet ſo regulated as to increaſe the marine of Great Britain, and to draw to the parent ſtate thoſe benefits which ſhe had formerly beſtowed on provinces now ſevered from the empire. The regulations for theſe purpoſes were firſt provided for by orders in Council, under authority of temporary acts of Parliament, and were afterwards, in 1788, ſettled by a permanent ſtatute. Theſe were an allowance of the immediate tranſportation of lumber (*i. e.* timber, barrel ſtaves, and ſeveral other articles of the like nature, which are immediately neceſſary to the trade and manufacture of the Weſt-India iſlands) from America to our iſlands, but that importation confined to Britiſh ſhips navigated by Britiſh ſubjects. The direct exportation of ſugar and other articles of the produce of

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these iſlands is allowed to America, but under the ſame condition of its being carried in Britiſh veſſels, conformably to the ſalutary principle of our navigation law. By theſe proviſions, and the allowance of her bringing her produce to Great Britain in her own veſſels, America has that degree of favour with this country which it ſeems ſo expedient to allow her, while the reſtriction which is certainly the moſt uſeful, or, as ſome later political œconomiſts maintain, the only uſeful, reſtriction in our commercial ſyſtem, is kept up in favour of the marine of this country. The anxious proviſions of our law for the encouragement of our navigation have been enforced by ſeveral ſtatutes paſſed in this Parliament, containing regulations with regard to *ſhipping*, which ſeem to be formed on a very perfect knowledge of this great national object, without the ſeverity which has been ſometimes complained of in laws of that kind, as affecting the intereſts and embarraſſing the tranſactions of fair and extenſive commerce.

The commercial intercourſe with America is an object of the firſt importance to

Great Britain. America is now, and will probably for a considerable time remain, in such a situation as affords an extensive market for the produce of British industry and manufacture. The natural fertility of the soil of most of the provinces of America, and the great quantity of unoccupied ground which these contain, will give to their industry and capital a natural tendency towards agriculture. It will be long before they will leave that first stage of labour for the more complicated business of manufacture, or the distant speculations of commerce. They will find in the manufactures of this country what the wants of such a situation require, for which their natural produce may be advantageously exchanged; and the increasing population to which the agricultural state is peculiarly favourable will increase the number of consumers for those articles which the British artizan or merchant can afford them. To the British artizan or merchant they will naturally be directed not only by the superiority of the articles which these can afford them, but by two circumstances which must always have a powerful effect

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in aſſociating and connecting the two countries, a common language and a common religion. This amicable and mutually advantageous intercourſe has already begun to heal that animoſity which rankled in the boſom of America from the recollection of the late unfortunate conteſt; and it is ſome compenſation to this country for the loſs of honour and waſte of treaſure with which that conteſt was attended.

To what extent the policy of thoſe commercial regulations, of which the foregoing ſketch has been given, has contributed to the preſent ſtate of the trade of Great Britain, it may not be eaſy preciſely to determine. That they have eſſentially contributed to it is a concluſion which will naturally be drawn by the unprejudiced. The reſult, however, from whatever cauſe it may be held to ariſe, it is highly gratifying to ſtate. It appears, from the lateſt and beſt authenticated accounts, that the increaſe of the trade and ſhipping of this country, ſince the concluſion of laſt war, has been greater than the moſt ſanguine ideas could have reached. In the year

 1783

1783 there were cleared outwards from the various ports of the kingdom, of

Britiſh veſſels,	-	7329
Foreign,	- -	1544

In the laſt year of which an account has been taken, to wit, in 1790 the number was as follows:

Britiſh,	- -	12,762
Foreign,	- -	1,140

Of our imports and exports, during the ſame period, the increaſe has been proportional.

In 1783 the value of our imports was	-	£. 13,122,235
In 1790	- -	19,130,886
In 1783 our exports amounted to	- -	14,756,818
In 1790, to	- -	20,120,121

It will not eſcape obſervation, that though the increaſe of either ſufficiently marks the growing commerce of the State, yet the great augmentation of our export trade is a flattering proof of the thriving ſituation of our manufactures and the demand which is made for them in foreign markets.

SECTION

SECTION III. 77-102

FINANCE.

Commutation Act.—Reduction of Duty on Spirits.—Excise upon Wine and Tobacco.—Act for the Prevention of Smuggling.—Manifest Act.—Act for appointing Commissioners to audit the public Accounts.—Regulations respecting Revenue.—Additional Taxes.—Act for applying the Annual Million.—Comparative State of Revenue and Expenditure.

THERE is no department of public business to which the Parliament of 1784 paid a more unremitting or a more successful attention than that of *Finance.*—A Report of a Committee, instituted for the purpose of inquiring into the abuses of Smuggling, was given in to the House of Commons before the close of the preceding Parliament; but the situation of affairs at that time was such as to suspend any measures

ſures for checking theſe abuſes; they were conſequently left to the active exertions of the ſucceeding Parliament. It will be ſatisfactory to the Public to trace their effects.

The great articles on which the enormous frauds, reported by the Committee, aroſe, were *Tea*, *Spirits*, *Wine*, and *Tobacco*. To theſe, therefore, it was neceſſary for Parliament to direct their particular attention. The two firſt were already ſubjected to every regulation and reſtraint which the mode of levying and ſecuring duties by exciſe, provides againſt fraud. But in articles of general conſumption, if the duties are high, the encouragement to ſmuggle overbears the riſk, at the ſame time that it ſharpens ingenuity to defeat the proviſions of the law. In ſuch caſes the leſſening that encouragement by a diminution of the duty, is the only means left to prevent ſmuggling.

With regard to the firſt of theſe articles, *Tea*, this object was endeavoured to be attained by the act of Parliament paſſed in 1784, known by the name of the *Commutation Act*. It was an experiment in finance which had been diſtantly propoſed at va-

rious

rious periods, and which the neceſſity of counteracting the alarming frauds reported by the Committee, now induced the Miniſter at the head of the Treaſury to bring forth for the ſanction of Parliament. The quantity of tea annually ſmuggled into the kingdom appeared, by the beſt-founded calculations, to be not leſs than twelve or thirteen millions of pounds weight, double the quantity legally imported by the Eaſt-India Company. To take away from the ſmuggler the advantage under which this very great importation was made, the plan of the act was to lower the duties on tea to about one fourth of their former amount. But as that would cauſe a defalcation of revenue of about 600,000l., it was propoſed to compenſate this by an additional duty on houſes and windows. The principle of the new tax, it was contended, was as nearly that of commutation, as it could be ſaid to be in the caſe of any new duty on two different ſubjects, becauſe tea being now, by the habits of life, become a neceſſary of univerſal conſumption, almoſt every perſon paying the new tax on windows, would be freed from an equal amount of the old tax

on tea. This principle of commutation was warmly diſputed by the Members in Oppoſition, tea being, as they contended, a luxury which might or might not be conſumed, but lodging and light being neceſſaries which could not be diſpenſed with. In ſome few inſtances this argument might hold, but in general it was certainly true, that the great body of the people received, in the abatement of the duty on the one article, at leaſt an equivalent to the advance on the other. And even if the title *Commutation* ſhould, ſtrictly ſpeaking, be denied it, the broad and general principle was founded in true political economy, that a tax by which a fraud was practiſed on the public revenue to ſo enormous an amount, and which tended ſo much to increaſe ſmuggling in other articles, was ſuch as ought to be repealed, and a ſubſtitute as little oppreſſive as poſſible, and as fairly, univerſally, and equally leviable, ſhould be provided to replace it. The event juſtified the policy of the meaſure. The public has gained in point of revenue on this ſubſtituted tax, and the remaining duty on tea, between 62,000l. and 63,000l. per annum;

but

but its operation has been infinitely more important in contributing to the general ſuppreſſion of ſmuggling, and the great augmentation of other branches of the revenue; beſides the extenſive commercial advantage to the nation of importing directly for ourſelves this very great article of our conſumption, a large portion of which was before ſupplied through the channel of the ſmuggler by foreign countries. The relief which this meaſure alſo afforded to the finances of the Eaſt-India Company, in which the nation is materially intereſted, is an additional proof of its wiſdom and utility *.

The

* The increaſe of revenue ariſing from the Commutation Act upon a compariſon of the average produce of four years ſucceeding it, with the average produce of five years prior to it, is — — £. 79,907

But it is fair to deduct the ſum by which the average produce of the old window duty fell ſhort of its average produce prior to this act — — 19,139

Increaſe 60,768

The ſame principle of taking away the temptation to ſmuggle by lowering the duty on legal importation, was adopted on the article of *Spirits*.

The

But the moſt important advantages which the public have derived from this act are as follow :

1ſt. The increaſe of Britiſh ſhipping, taken upon an average of the laſt five years, compared with five years immediately preceding the paſſing of this act, is 14,089 tons; ſome of this ſhipping was taken up at a high freight; but at the preſent freight, which is on an average 22 l. per ton, the annual amount of the increaſe would be £. 309,958

2dly. The total value of exports to China,
from 1776 to 1783, was £. 995,673
From 1784 to 1791 —— 6,698,221
The amount of the value of the
increaſe is — — 5,702,548
Which on an average is annually — 712,818
The private trade has likewiſe much increaſed.

3dly. Since this act paſſed, being ſeven years and an half, there has been ſold 121,730,453 pounds of tea, which, duty included, ſold for 21,058,497

The

The ſtipulation with regard to the Brandies of France in the *commercial treaty*, lowered, of courſe, the duty on that article; but the object of effectually preventing ſmuggling made it deſirable to reduce the duty even lower than to the ſtipulated amount, and with the ſame view it was neceſſary to make a proportionate reduction on other ſpecies of foreign ſpirituous liquors.

The ſame quantity of tea, and of the ſame quality, at the average price of tea ten years prior to the act, (including the duties) would have amounted to — —	40,876,730
The concluſion from this is, that there has been a ſaving to the public upon the amount of what the ſame quantity of tea would have ſold for at legal ſales, if the Commutation Act had not paſſed of —	19,818,233
The average upon ſeven years and an half is — —	2,642,430

And this gain is to be ſet againſt the charges brought upon the public by the impoſition of this tax.

Yet ſo far was this reduction from having any effect prejudicial to the revenue, that on the contrary the duty on the article of ſpirits increaſed after ſuch reduction of its rate, to a very large amount. In 1786 the total net produce of the duty on foreign ſpirits was 713,376l.; whereas in 1790 that produce amounted to the ſum of 1,082,264l.—an increaſe of no leſs a ſum than 368,888l. Beſides this gain to the revenue, the ſame ſort of advantage as before obſerved on the *commutation act*, is in ſome meaſure produced by every fair trade, in oppoſition to a contraband one; that in the firſt, the national merchant profits, and the national ſeaman is employed; in the latter, the foreign or the outlaw ſmuggler derives the chief profit of the trade, and the capital centers in a foreign country.

In the two other articles which have been before mentioned of wine and tobacco, the effect of exciſe regulations which appeared applicable to both had never been tried. This experiment with reſpect to wine was made in the year 1786, and ſucceeded ſo well, that notwithſtanding the lowering of the duty in conſequence of

the commercial treaty with France, ſo conſiderably below its former rate, the total amount of revenue received for that article has annually increaſed; the average receipt for three years prior to the commercial treaty, and the exciſe regulations, having been 625,454l., and that for three years poſterior to thoſe events 714,010l., and in the year 1790 804,167l.

The regulations of exciſe were likewiſe, in the year 1789, extended to the article of tobacco; and though the proviſions of this bill have not yet been completely effectual, and tobacco is ſtill one of the very few articles in which a contraband trade continues to be carried on, the benefit nevertheleſs has already been extenſive, and ſuch as fully juſtifies the meaſure. The duty on tobacco on an average of three years, immediately previous to the commencement of this act, amounted to the ſum of 505,708 l., and the drawback 81,996l.; whereas the amount of duty in the year 1790 was 676,273l., while the drawback has increaſed only to 86,027l.

But the Parliament of 1784 was aware, that though the reduction of duty upon particular

particular articles would effectually counteract the ſmuggler with reſpect to ſuch articles, yet that ſmuggling prevailed to ſo alarming an extent, as to threaten the total ruin of the public revenue, if ſuch meaſures were not taken as would effectually ſuppreſs the general practice of it. With this view a bill was introduced in the year 1784 for the better prevention of ſmuggling. The objects of which were, to extend the hovering laws, enabling the officer to ſeize veſſels employed in ſmuggling at a greater diſtance from the ſhore—to prohibit the building or navigation of veſſels of a certain deſcription, known to be thoſe employed by the ſmuggler—to prevent veſſels, when lawfully condemned from being ſold as they formerly had been, in a manner which enabled the ſmuggler to recover the poſſeſſion of them—to ſuffer no veſſel to be armed beyond a certain extent without a licenſe from the Admiralty—to regulate the clearances of veſſels of all deſcriptions—and to enlarge the powers of ſeizure, by authorizing revenue officers to ſeize veſſels, having on board contraband

commo-

commodities in packages of a ſmaller bulk than allowed by law.

Theſe were the principal regulations of this bill, and its effect was to check, in a great meaſure, that branch of ſmuggling which at that time was carried on, in notorious defiance of the law, to a greater degree than had ever before prevailed in this country.

To the ſame object the attention of Parliament was directed in paſſing the Manifeſt bill in the year 1786. Frauds to a conſiderable extent were practiſed by the maſters of ſuch as were apparently regular trading veſſels; to prevent which, the bill requires every maſter of a trading ſhip to produce the manifeſt of his cargo, containing every article of which it conſiſts, and prohibits the importation of goods into Great Britain, without the production of ſuch manifeſt. The act likewiſe makes ſome very important regulations to check the frauds practiſed in the exportation of goods entitled to drawback or bounty—and gives to the Commanders of his Majeſty's ſhips a power to ſeize veſſels or goods ſubject to forfeiture.

It

It is impoſſible to aſcertain what preciſe effect theſe acts have had in the increaſe of our revenue; but it is well known, that they have anſwered the purpoſes aimed at by the Legiſlature; and it is probable that a great part of the increaſe ariſes from their beneficial effects.

Beſides theſe meaſures, which were directed to the improvement of the permanent revenue, an equal attention was ſhewn to other objects connected with general principles of economy, and tending to give the public the benefit of other reſources which might be applied in aid of the annual taxes to meet the neceſſary expences.

It is now ſcarcely credible, that, prior to the year 1785, the public accounts of the kingdom were paſſed in either of the offices of the auditors of the impreſt, who acted by deputy, and this ſingle perſon decided on the particulars of the account. Without any reflection upon the character of whoever might be in ſuch a ſituation, the impropriety of accounts between Government and individuals, in which millions were frequently to be decided upon, being examined in this manner, muſt ſtrike every

i one

one who confiders the fubject, were large balances remained due to Government—many accounts were unfettled, and, perhaps, others paffed without the neceffary inveftigation which accounts of this importance required. The act of 1785 appointed five Commiffioners for the purpofe of examining and auditing the public accounts of the kingdom, and invefted them with all the powers neceffary to render their appointment efficient.

The benefit the country has derived from the appointment of thefe Commiffioners in the regularity of examining and paffing the public accounts, and in recovering large fums due to the public, which have been paid in confequence of the fteps taken by the Commiffioners for that purpofe, is the beft encomium upon the meafure itfelf, and upon thofe Commiffioners who have fo faithfully and diligently carried it into effect.

The fame difinterefted principle which has governed every proceeding of the prefent Adminiftration refpecting matters of revenue, is obfervable in the mode of making loans and conducting lotteries. For-

merly the neceſſity of the public, to avail itſelf of theſe means of raiſing money, was made an engine of corruption, and loans, lotteries, and contracts, were formed, not with a view to the public ſervice, but for the emolument of the individual to whom they were given. The mode adopted during the period included in this work, has been that of receiving public propoſals, and accepting the offer which is moſt advantageous in its turn; the theory of reform is always popular, but it is ſeldom that, in a Government conſtituted like ours, that there is public virtue enough in the Miniſter to bring reform into action, and abridge his own patronage.

Though the regulations above referred to have anſwered the purpoſes for which they were made, and proved highly beneficial to the public, it was obvious at the very beginning of this period, that the effect of regulation alone could not render the revenue equal to the expences which had been entailed on the country by the effects of the war; it became therefore an indiſpenſable duty to find productive taxes to ſuch an amount as, added to the benefit derived

rived from theſe regulations, might render the income equal to the expenditure, and enſure a ſurplus applicable to the reduction of debt. It is no ſmall proof of the perſeverance of the Legiſlature, and the reſources of the country, that productive taxes, to an amount exceeding one million annually, were impoſed in the courſe of the laſt Parliament; and that although every reſource had been ſuppoſed to be previouſly exhauſted, they neither interfered with other branches of the revenue, or checked the commerce of the country; both of which, on the contrary, have increaſed with unuſual rapidity.

While Parliament was thus ſucceſsfully employed in rendering the public revenue more effectual, it was proper, at the ſame time, to take meaſures for applying that revenue in a direction moſt profitable to the State. By the report of a Committee appointed in 1786, the probable ſurplus of the public income, after paying the intereſt of the national debt, and providing for the various eſtabliſhments, was calculated at

 900,000l.

900,000l. per annum. To this was added 100,000l. levied by a part of the additional taxes before referred to, and one million annually; the amount of both was vested in Commissioners, to be appropriated to the extinction of the national public debt, by the purchase of stock, on behalf of the public. The effects of this operation, acting, as it does, with a progressive increase, are beyond what a slight view of the subject would lead one to suppose. The sum paid off at the first of February, 1791, was 6,772,350l.; the interest on which amounting to 203,170l., together with 51,634l. of expired annuities, amounting in the whole to the sum of 254,804l., are, according to the tenor of the plan, added to the annual million for the reduction of the national debt, and increase at compound interest in favour of the public.

The appropriation of this million is a trust for posterity, and never should be infringed. For contingencies beyond the ordinary and established expence of the nation, the most manly, as well as the most economical mode of provision, is by raising the capital of the sum laid out within a

short

ſhort determinate ſpace of time. Of this an example was ſhewn, in the laſt Seſſion of Parliament, on occaſion of providing for the expences incurred in our diſpute with Spain. Theſe expences amounted to a ſum of about 3,000,000l. Temporary and productive taxes were provided to the amount of 800,000l. per annum; part of which were to remain till a large portion of this debt was extinguiſhed, and the remainder till the whole ſhould be completely diſcharged, which would be effected in about four years. Except ſome unforeſeen event ſhall ariſe, for which the nation cannot provide in this manner, there will be nothing to counteract the rapid effect which the appropriation of the ſurplus revenue muſt produce in no very diſtant period towards relieving the country from a large proportion of its heavy incumbrances.

It will be a ſubject of juſt ſatisfaction and triumph, to every one who feels for his country, to recapitulate the advantages which have been produced within the period of this ſtatement, partly by the meaſures now detailed, and ſtill more by the natural effects of peace, and the continu-

ally increafing exertions of national induftry. Few inftances occur in hiftory of fo rapid and unexpected an improvement in the fituation of public affairs; and the change becomes more ftriking from having immediately followed a period equally remarkable for as fudden a tranfition from a ftate of opulence and profperity to weaknefs and diftrefs. A war which was productive of nothing but calamity, and which terminated by the feparation of thirteen flourifhing provinces from the empire, had, in the courfe of feven years of fruitlefs conteft, added above one hundred millions to the capital of the national debt. The taxes impofed to defray the intereft of this fum had fallen fhort of the total amount of the intereft actually incurred during that period by much more than two millions. They left at the conclufion of the war an annual deficiency in thofe funds only of near 400,000l. The reft of the revenue deftined in times of peace to pay the intereft of debt previoufly contracted, or to fupport the ordinary eftablifhments, had in the mean time declined; and the whole of the annual revenue, including the produce

both

both of the taxes ſubſiſting before the war, and thoſe impoſed in the courſe of it, amounted, at the end of 1783, only to about one million ſix hundred thouſand pounds more than in 1776, though a debt had been incurred in the ſame period, either funded, or remaining to be funded, the whole intereſt of which would occaſion an addition to the annual and (as it was then thought) the perpetual charge on the public of a little leſs than five millions*. The total of the permanent *annual charges on the aggregate fund*, including the civil liſt, and the addition of the intereſt of Exchequer bills, as they ſtood at that period, was 10,600,000l., and the total of the *annual revenue* ariſing from the permanent taxes was about 10,200,000l.

In addition to this deficiency there remained the whole burden of providing for the annual expences of the army, the navy, the ordnance, the charges for the plantations, and the other neceſſary ſervices, the

* The total amount of intereſt on the national debt at the end of the year 1776 was 4,475,000 l., and in 1786, 9,273,000l.

amount

amount of which could not be calculated at leſs than 4,000,000l. To meet theſe charges, the only remaining reſource, without recurring to freſh taxes, was the annual vote of the land and malt, which is nominally eſtimated at 2,750,000l., but which in fact produces about 2,550,000l. The melancholy reſult of the whole was, that there exiſted a deficiency of the actual amount of the revenue below the annual expenditure, on the loweſt eſtimate, of above 1,800,000l.

Some relief was undoubtedly, under any circumſtances, to be expected from the return of peace; but it ſeemed leſs to be relied upon at this period than at any which had before occurred. Beſides the difficulties already mentioned, the public credit (which is the center on which every thing turns, where a large debt has once been created) had ſunk even more than the public revenue.

The price of annuities, at an intereſt of 3 per cent., which, in times of proſperity, had frequently been above par, and ſeldom lower than 90, had, at the concluſion of the year 1783, or the beginning of 1784, fallen

to 55. This depreſſion of credit had ſwallowed up and annihilated for the time almoſt half the value of the funded property of the kingdom. The price of lands had ſunk from the ſame cauſes, though, perhaps, not in an equal degree.

The univerſal difficulty of obtaining money, and the actual ſcarcity both of ſpecie and of bullion, had every where checked circulation. There appeared (as it were) a general ſtagnation in all the exertions of the country; clandeſtine and illicit trade was the only one which was proſecuted with vigour, and the enterpriſe and induſtry which had formerly contributed to the wealth of the nation ſeemed to be flowing into channels where it could only operate to compleat the corruption of its morals, and the ruin of its revenue.

Under theſe calamitous circumſtances even the ſpirit of the nation was broken, the feeling and temper of people, of all deſcriptions, reſembled the diſmay of an army which had ſuſtained ſome unexpected and diſgraceful defeat; when, unleſs means can be found to revive their courage, and inſpire them with freſh con-

fidence in themſelves, they will never again be led to victory and to glory. Every thing depended upon the influence of opinion; but to remove the deſpondency, and to raiſe the hopes of the nation, ſeemed a taſk as difficult as to retrieve its credit, and to repair its reſources. If it were practicable at all, it was thought to require an union of all the talents, and all the efforts of the different parties in the ſtate. But here unfortunately the danger was ſtill increaſed; inſtead of either an union in the public cauſe, or a generous emulation and rivalſhip in ſupport of the public intereſt, the nation was torn and diſtracted by the utmoſt violence of faction, which for a time ſuſpended the functions of executive government, and even threatened the extremes of anarchy and confuſion.

At length, however, the ſtorm ſubſided, and as ſoon as there was the appearance of a ſettled Government, an attempt was made, (under all the diſcouragements which have been ſtated), the ſucceſs or failure of which would be deciſive on our future ſituation. The immenſe load of unfunded debt which had accumulated during the war preſſed

more

more than any other circumſtance on the credit of the country; its amount proved near 30,000,000l.; yet large as this ſum is, the effect of it operated in a ſtill higher proportion, from its being neither liquidated nor aſcertained.

In the beginning of the new Parliament meaſures were taken for funding the whole of this debt, and for providing efficient taxes to defray the charge which it would occaſion. This alone was a pledge and earneſt to the world of a diſpoſition to encounter all the difficulties of the ſituation, and to endeavour at leaſt to equalize the public income to its expenditure. A ſingle ſtep of this nature went far to diſſipate the gloom which then hung over the country. Men began to recollect themſelves, to entertain truer notions of the extent of our reſources, and to remember the firſt duty of good citizens, "never to deſpair of the republic."

The ſucceeding exertions of the country, and the meaſures taken for the improvement of the revenue, enabled Parliament, as early as the year 1786, after making good the deficiencies before ſtated, and al-

lotting a ſufficient proviſion for other neceſſary public expences, to enſure (in the manner already ſtated) the appropriation of a million annually, at compound intereſt, to the diſcharge of the national debt. The commercial treaty with France ſucceeded, which put an end to a ſuſpenſe unfavourable both to trade and revenue, and by opening to us an additional and extenſive market on favourable terms, gave a new ſcope and a freſh incentive to the ſpirit of induſtry and commerce.

After theſe two events the tide was completely turned, and its courſe ever ſince has been uniform and rapid.

Our revenue has been gradually riſing, and in the laſt year has exceeded the amount of the year 1783 by nearly four millions ſterling. About one million of this ſum ſeems to have ariſen, as has been already ſtated, from the impoſition of additional and productive taxes; nearly an equal proportion has accrued on thoſe articles which have been enumerated as the ſubject of ſpecific regulations; the remainder proceeds from a cauſe ſtill more ſatiſfactory, a gradual augmentation diffuſed

over

over almoſt every branch of the revenue, which can only be aſcribed to the increaſed conſumption and the increaſed wealth of the empire.

We have already ſeen that a correſponding improvement has taken place in the ſtate of our trade, which both furniſhes an explanation of the great ſource of our advantages and gives us juſt ground to expect their continuance. In the mean time near ſeven millions of the capital of our debt have been diſcharged, a ſum larger than has ever been paid off in the longeſt interval of peace, ſince the commencement of the century. The ſinking fund now applicable annually to the diſcharge of debt has already grown to about one million three hundred thouſand pounds.

The riſe in the value of the ſtocks ſeems to open the proſpect of a reduction of intereſt on thoſe funds which are redeemable; and if we were to look beyond the period to which this work is confined, we ſhould perhaps find the proſpect ſtill brightening. We may even be allowed to hope that the moment is not diſtant which may complete the contraſt with our former diſtreſſes, and

when

when, inſtead of increaſing incumbrances, and impaired reſources, we may find our revenue ſufficient to accelerate the reduction of the national debt, and at the ſame time diminiſh in ſome degree the burthen of the taxes now levied upon the people.

SECTION IV.

Interference of Great Britain in the Settlement of the Affairs of Holland.

THE internal arrangements of revenue and finance, though not interrupted in ſyſtem, were ſomewhat abated in their effects, by accidental occurrences in foreign politics, which obliged Great Britain to interpoſe in the ſituation of countries materially connected with our own. It requires but little ſagacity to pronounce, that the pacific ſyſtem now generally allowed to be for the intereſt of every country, is peculiarly for the intereſt of Great Britain.

But

But to preſerve peace, it is neceſſary to maintain the dignity of a nation unimpaired; to make her friendſhip valuable, and her reſentment, when unavoidably rouzed to juſt reſentment, formidable to other nations. It is with ſtates as with individuals; their independance and their power procure them friends and allies. The laſt unfortunate war had left us without an ally; France had, by mutual advantages, drawn cloſer the ties of the *family compact* with Spain; and ſhe directed almoſt at will the councils of Holland. That country, with which, for more than a century before, Great Britain had been connected by numberleſs engagements, had, for ſome time paſt, been devoted to the intereſts of her rival power, who, ſeeing the importance of the acquiſition, had, with unceaſing policy, and at an enormous expence, proſecuted and attained the object of gaining an entire aſcendancy in the Dutch Government.

The diſturbances which, during the year 1786, and for ſome time preceding, had prevailed in the various provinces of the Republic, were at laſt, by the violence

lence of the Anti-Stadtholderian party; brought, in the ſpring of the ſucceeding year, to the iſſue of an armed conteſt. The mediation of France and Pruſſia had only produced, in its failure, that freſh and redoubled animoſity which always attends a fruitleſs endeavour at conciliation. The province of *Holland* adopted reſolutions ſubverſive of the union of the ſtates, and in direct violation of the Conſtitution of the Republic; thoſe reſolutions it prepared to enforce by an army recruited with French ſoldiers, and aſſiſted in its operations by French officers. A civil war had actually begun in the province of *Utrecht*, and in another quarter; the city of Amſterdam experienced a ſcene of confuſion and horror little ſhort of the ſack and devaſtation of a victorious and unreſtrained ſoldiery.

In the progreſs of thoſe violent meaſures, which the enemies of the Stadtholder purſued, they committed a perſonal outrage on the Princeſs of Orange, which rouzed the reſentment, and juſtified the immediate interpoſition of her brother the King of Pruſſia. They refuſed the ſatiſfaction

faction which that Monarch demanded for the insult offered to his sister, with an obstinacy and a confidence, inspired not less by the hopes of foreign succour, than by the strength of their party in the Republic. The consequent measures of the Court of Berlin are sufficiently known. They were taken with a promptitude and a decision which they could scarcely have possessed without a reliance on that co-operation which Great Britain had resolved to afford in rescuing the Constitution and rights of the United Provinces from the tyranny of a faction as hostile to the interests of this country, as to the established Government of its own. The Court of France was too sensible of the importance of maintaining its influence in the Republic, easily to acquiesce in the defeat of that party by whose means that influence had been so long supported. Its resolution to interfere in support of that party was notified to the Court of Great Britain about the same time that the answer by the States of Holland refusing the satisfaction which the King of Prussia demanded was delivered to his Ambassador. This was one of those critical

junctures in which firmneſs of councils and vigour of exertion were able to obtain an object of the greateſt importance to the future political intereſts of this country. The immediate equipment of a formidable fleet, the increaſe of our own military force, and the ſubſidiary treaty with the Landgrave of Heſſe Caſſell for a body of auxiliaries, put this country in a condition effectually to counteract the interpoſition of France on the oppoſite ſide. The ſuddenneſs and expedition of the preparations in this country, which actually took place within three days of the notification from France, and almoſt at the ſame moment that the Pruſſian troops were entering Holland, added not a little to the effect of the meaſure. This deciſive conduct, ſo much beyond the energy ſhe had lately found in the operations of this country, France appears not to have been prepared for, and at that juncture, preſſed by the embarraſſed ſituation of her finances, ſhe was unable to withſtand it. Awed by the firmneſs of the Britiſh Councils, and the inſtant and formidable exertions of her national ſtrength, ſhe gave up the Dutch republi-

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cans to their fate; the Stadtholder enjoyed the full fruits of the Duke of Brunſwick's ably-conducted and highly-ſucceſsful expedition, and was reinſtated in the fulleſt powers which his family had ever held ſince the union of the provinces. In ſo ſhort a ſpace of time, and from the promptitude with which Government took advantage of circumſtances proceeding from cauſes in themſelves inconſiderable, was that aſcendancy which France had ſo long held in the Adminiſtration of Holland, overthrown, and Great Britain freed from thoſe dangers which the ſoundeſt of her politicians had often predicted from its effects.

When this buſineſs was laid before Parliament, the manner in which it had been conducted on the part of this country received the approbation of all parties. The leaders of oppoſition, while they gave that approbation with a very laudable frankneſs and candour, remarked the wiſdom, now proved by recent events, of that jealouſy of France which they had formerly recommended. In point of political forecaſt, they now ventured to recommend that

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ſyſtem of continental alliance, without which Britain muſt be left, as was her misfortune in the laſt war, inſulated and friendleſs amidſt a combination of enemies; that ſyſtem which, tending to preſerve the *balance of power* in Europe, gives the beſt aſſurance for its tranquillity, and is ſo eſſential to the intereſts and ſafety of Great Britain.

"This ſyſtem, (ſaid Mr. Fox,) which has been ſometimes called romantic, is a ſerious ſyſtem, and ſuch as it is the intereſt of this country to be governed by; a ſyſtem founded on that ſound and ſolid political maxim, that Great Britain ought to look to the ſituation of affairs upon the Continent, and take ſuch meaſures upon every change of circumſtances abroad, as ſhall beſt tend to preſerve the balance of power in Europe." Upon that maxim, he ſaid, he had founded all his political conduct, and convinced as he was of its juſtneſs, he ſhould continue to adhere to it.

Mr. Burke declared, "that he highly approved of the ſyſtem of meaſures purſued with reſpect to Holland, and the re-

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newal of continental connections. That was the ſyſtem on which alone the country could expect to ſtand with ſafety and honour. It was during our adherence to that ſyſtem that Great Britain had been a glorious country, the object of the admiration of other countries. The ſubſidiary treaty with Heſſe, as a ſingle, unconnected meaſure, he muſt diſapprove, becauſe, by continuing our guarantee to that Prince, we might be involved in a war on his account; but as part of a ſyſtem comprehending Pruſſia and Holland, it was a wiſe meaſure, and as ſuch it ſhould have his ſuffrage."

The expediency of this ſyſtem of Continental connections might occur to minds leſs enlightened than thoſe of Mr. Fox and Mr. Burke. But the national prejudices of this country are againſt it. In every country the bulk of the people look not to diſtant events, nor will eaſily conſent to make proviſion for them at the expence of preſent inconvenience. If at any time the tide of this prejudice ſhould run againſt the meaſures of Government, it were perhaps more virtue than we are entitled to

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look for in a ſtateſman to contradict that prejudice in favour of a rival. Syſtem will probably then be forgotten, or that ſyſtem only remembered which is paramount to every other, the ſyſtem of party.

One of the moſt immediate advantages, though imperfectly known at the time, which Great Britain derived from this ſucceſsful interference in the affairs of Holland, was the ſafety of our Eaſt-Indian ſettlements, on which the French party in Holland had meditated a very ſerious attack, in conjunction with France, and *Tippoo Saib*, who had lately ſucceeded his father, the celebrated *Hyder Ali*, in the ſovereignty of *Myſore*.

Abſolute Sovereign, though under an uſurped title, of an extenſive and populous empire, the force of which is concentrated for attack, while itſelf is defended by a barrier of almoſt impaſſable mountains; with a reſtleſs and unbounded ambition, ſupported by great abilities, and unreſtrained by good faith or principle; with that command over the minds of his followers which is naturally inſpired by his own talents, and which receives additional weight from the

the celebrity of his father's name; with an hatred, like that of *Hannibal* to Rome, hereditary and inveterate againſt the Engliſh nation; with an army regularly eſtabliſhed, trained by the diſcipline, and aſſiſted by the preſence, of a conſiderable number of French officers and ſoldiers—*Tippoo Saib* is by much the moſt formidable enemy which Great Britain has to fear in Aſia. With him, as with his father, France had been at great pains to connect herſelf. With him, in conjunction with the *Mahrattas* and the *Soubah of the Decan*, it is underſtood that France, and Holland, under the influence of France, propoſed to enter into an alliance offenſive and defenſive, againſt the Britiſh power in India. And there is great reaſon to ſuſpect that meaſures had been actually concerted for ſpeedily carrying the ſcheme into execution.

The Dutch Revolution, (if that term can be applied to the reſtoration of the conſtitutional Government of the United Provinces) joined to the embarraſſed ſituation of France, which indeed was one great cauſe of the events in Holland, de-

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ſtroyed this dangerous combination! It did not, however, extinguiſh the reſtleſs and ambitious views of Tippoo, who, unſupported by any European power, has engaged in meaſures of aggreſſion againſt an old and faithful ally of the Britiſh nation in India, under circumſtances which will probably lead him to repent the folly and preſumption of the attempt.

SECTION V. 112-122

Diſpute with Spain.

ANOTHER diſpute, which threatened to interrupt the tranquillity which Great Britain was ſo much intereſted to preſerve, was that which aroſe with *Spain*, on the ſeizure of ſome Britiſh veſſels at *Nootka* Sound, on the North-weſtern coaſt of America. One of the laſt great public acts of the late Parliament, was to give its firm

r m and decided ſanction to the meaſures which His Majeſty thought it adviſeable to take, for maintaining the national honour, and protecting the national intereſts, againſt the violence which had been offered to both.

The firſt intelligence of this event came through the channel of Spain itſelf. At the ſame time that it tranſmitted an account of the ſeizure of one of the ſhips in queſtion, the Court of Spain juſtified the detention of the veſſel, on the ground that the trade and intended ſettlement at Nootka, which was the object of the voyage, were a direct violation of the right of the Court of Spain to thoſe territories, founded, as it was ſaid, on original diſcovery, recogniſed by ſolemn treaties; and confirmed by immemorial poſſeſſion ; it even aſſumed, from theſe premiſes, the language of complaint againſt the ſubjects of this country, for an infringement of the rights of the Spaniſh empire, which it prayed His Britannic Majeſty to prevent in future. At the ſame time it ſignified an approbation of the Governor of Mexico's conduct in releaſing, as it was ſaid he had done,

the veſſel and crew which had been ſeized at Nootka, on the ground that nothing but ignorance of the rights of Spain could have induced the ſubject of any nation to reſort to that coaſt with the idea of making an eſtabliſhment, or carrying on commerce there.

The extravagance of thoſe pretenſions, and the avowed act of injuſtice and violence to which they had in the preſent inſtance given riſe, were of themſelves ſufficient to alarm the miniſters of this country; but the arrival of Captain *Meares*, one of the owners of the veſſels ſeized at Nootka, and the narrative given by him of the tranſaction, ſhewed the conduct of the Spaniards to have been even of a more hoſtile kind than the former intelligence had given any reaſon to ſuppoſe. From his relation it appeared, that in conſequence of a previous trade opened with the North-weſtern coaſt of America, under the patronage of the Governor General of India, he had, in conjunction with other Britiſh merchants, fitted out two veſſels, with which he arrived at Nootka in May, 1788; purchaſed ſome ground from the natives for

for the purpoſe of a ſettlement, and had actually built a houſe, and hoiſted the Britiſh colours. That in the following year two other veſſels were ſent by this aſſociated Company, with artificers of various kinds, and other perſons intended as ſettlers at this part of Nootka. That after theſe veſſels had been ſome time there, and one of them had been diſpatched on diſcoveries to the adjoining coaſts, a Spaniſh ſloop of war appeared in that quarter, whoſe commander, after ſome mutual civilities which had been employed on his part to diſguiſe the hoſtility of his deſign, ſeized the Britiſh veſſels, and made the Captain and crews priſoners, whom he treated with a wanton inſolence and cruelty which not even an actual ſtate of war would have juſtified, on the humane and liberal principles of modern times. Accounts were at the ſame time received of certain warlike preparations of the Spaniſh Court, which ſeemed to indicate her reſolutions to ſupport the pretenſions of her ſovereignty, if not to vindicate the acts of her officers.

In this poſture of affairs, it became the duty of Adminiſtration to take immediate meaſures for placing the country in a ſituation to enforce her demands of juſtice, if the Court of Spain ſhould refuſe that ſatisfaction which this inſult on the flag, this outrage againſt the ſubjects in Great Britain, required.

Notice of the buſineſs in agitation was ſent to the different Conſuls in Spain; and on the 4th of May, a general and very effectual preſs took place. It was by this incident that the Public were firſt led to the knowledge of any diſpute between the two Courts; a ſecrecy of a very uncommon but highly uſeful kind, having hitherto covered this tranſaction from the eye of every perſon except thoſe whoſe confidential ſituation made them neceſſarily acquainted with its progreſs.

On the 5th of May a meſſage from His Majeſty was delivered to both Houſes of Parliament, informing them of the ſeizure of the veſſels at Nootka Sound; the demand made by His Majeſty for an adequate ſatisfaction, which had not yet been made or offered, and the claim aſſerted by Spain

to

to an exclusive sovereignty and commerce in that part of the world. That His Majesty had instructed his minister at Madrid to make a fresh representation on the subject; but having in the mean time received information of considerable armaments in the ports of Spain, "he had judged it indispensably necessary to make such preparations as might put it in his power to act with vigour and effect in support of the honour of his Crown, and the interests of his people; and expressed his firm reliance on the support of Parliament in taking such measures as might be eventually necessary for that purpose."

The answer was such as might be expected from a British Parliament on such an occasion. If limited monarchies sometimes want that prompt and speedy exertion, of which absolute Governments are susceptible, they possess, on the other hand, that warm, that vigorous impulse, which the sentiment of a free country inspires, when satisfied of the justice of the cause which it is called to support. The answer of Parliament was unanimous and cordial;

cordial; the feelings of the nation were in unison with the voice of its representatives, who expressed their determination "to "concur with His Majesty in the most "zealous and effectual manner in such "measures as may become requisite for "maintaining the dignity of His Majesty's Crown, and the essential interest of "his dominions."

Fortified with this resolution of Parliament, and the congenial spirit of the people, Administration continued their warlike preparations with such earnest and effective dispatch, that in the short space of about two months, a fleet of between 50 and 60 ships of the line was ready for sea. Nor did they seem wanting in foresight of future events, any more than in application to the present emergency. In America and the West Indies, it is understood, they had prepared the different Governors for the possible event of a Spanish war, in such a manner as to prevent any danger of an unlooked-for attack in that quarter where Spain might naturally be supposed most in condition to meditate such an attempt; and though the particular projects of the

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war were ſtudiouſly concealed, the preparations made ſufficiently ſhewed that it was the intention to carry on the moſt vigorous operations in the Southern hemiſphere.

One of the moſt immediate objects of attention in the Britiſh Government, and one which was attended with the moſt pleaſing ſucceſs, was the application to Holland for its aſſiſtance on this occaſion, in virtue of the late alliance with the Republic. The friendſhip of Holland was not only unequivocally declared, but its aſſiſtance was given with an alacrity and an activity which have not been often exemplified in the exertions of a country ſo conſtituted as that of the United Provinces. A Dutch fleet ſailed to Portſmouth early in the month of July, and proviſion was made for a ſpeedy reinforcement to this ſquadron if the exigency of affairs ſhould require it. Aſſurances are alſo known to have been received from Pruſſia, of a readineſs to furniſh its ſtipulated ſuccours, in any manner in which they could moſt contribute to the ſucceſs and the exertions of this country.

These were the first fruits of that alliance, which our interposition in the affairs of the Republic in 1787 had produced between Great Britain, Prussia, and Holland, and shewed the policy of a system, which attached to us one of the first military, and one of the first naval powers in Europe.

The formidable preparations which Britain was so soon enabled to complete; the zeal and ardour of the nation; the firmness of its Councils, aided also by the particular situation of France, and its equivocal language on the subject of the family compact, induced the Court of Spain, after some months of explanation and delay, to abate that lofty and unbending deportment which she had held on the first outset of this business. On the 24th of July, 1790, a declaration and counter-declaration was executed at Madrid between the ministers of Britain and Spain, by which the latter agreed to that satisfaction for the injury committed, restitution of the vessels seized, and indemnification to their owners, on which the former had uniformly insisted as a preliminary step to

every

every other adjuſtment of the preſent diſpute, or arrangement for preventing ſuch diſputes in future. But the accompliſhment of ſuch future arrangement was an object which it was highly important for Britain to obtain; and which, in the diſcuſſion of this affair in Parliament conſequent on the King's meſſage, had been mentioned by all parties as a meaſure which the preſent circumſtances of the two Courts afforded the beſt occaſion to enforce. This was the ſubject of a negociation, which from its nature muſt have been of conſiderable difficulty, and which was not finally ſettled till the 24th of October. On that day a Convention was entered into at Madrid, between the miniſters of Great Britain and Spain, in behalf of their reſpective Courts, by which, in addition to the reſtoration of the property whereof the Britiſh ſubjects had been diſpoſſeſſed at Nootka, and an adequate compenſation for their loſſes, which had before been ſtipulated, the important conceſſion of our equal right of navigation and fiſhery in the Pacific ocean or South ſeas, and of landing on the coaſts unoccupied by the

Spaniards, for the purpose of commerce with the natives, or of making settlements on such unoccupied places, was obtained for the subjects of this country. Amicable provisions were also made for a friendly intercourse of trade between the two nations on the north-western coast of America, and the adjacent islands; and for the prevention of any hostile or violent measures between their respective subjects in those distant regions.

The issue of this business was flattering to Great Britain. The resources and force of the empire were proved and exerted; and that power and dignity which the misfortunes of the last war had been supposed so much to abate, were now restored to this country, and employed with a moderation, and at the same time with a firmness and an effect, which tended alike to exalt the national character, and to secure the public tranquillity.

SECTION VI.

§ 123 – 135

Repeal of the Teſt and Corporation Acts.

TWO public meaſures of conſiderable importance, which have not yet been adverted to, were brought forward in this Parliament, and both of them were ſupported by a reſpectable part of the repreſentative body, and of the people at large —I mean a motion for a *Repeal* of the *Teſt* and *Corporation Acts*, and an enquiry on which to found a bill for the *Abolition of the Slave Trade*.

Of theſe, although the firſt was rejected by the laſt Parliament, and the ſecond has ſince been rejected in the preſent, it ſeems proper, in this hiſtorical review, to take ſome notice, becauſe they agitated at the time, and ſtill continue to agitate, the opinions and the feelings of the Public.

A petition of the Diſſenters, praying for a repeal of the acts above mentioned, was firſt preſented to the Houſe of Com-

mons on the 28th of March, 1787, by Mr. Beaufoy, and ſupported by Mr. Fox, and ſeveral other very reſpectable Members of the Houſe.

In ſupport of the petition it was argued, "that every man has a right to judge for himſelf in religious matters; nor ought his exerciſe of that right to be branded with a mark of infamy, ſuch as the excluſion from offices and truſts, which is part of the puniſhment inflicted by the law on ſeveral infamous crimes. That it was diſgraceful to a country ſo enlightened as England to retain, in the preſent mild and liberal times, ſo much intolerance and perſecution. That *opinion* merely, ought not to be at all ſubject to public cognizance, which ſhould only be applied to men's actions. That, in fact, there is no teſt of *civil* opinion; for a man may hold opinions averſe to every principle of the Conſtitution, and yet attain the higheſt ſituations in the State."

"The indecency and impiety of applying a ſacred rite of religion, the Sacrament of our Lord's Supper, to ſecular and political purpoſes, was warmly urged. That this

kind

kind of teſt is as inefficacious as indecent; becauſe perſons compelled by neceſſity, or allured by intereſt, may take the Sacrament after the manner of the Church of England, without ſuppoſing themſelves by that compliance to declare their approbation of the form or conſtitution of the Church; and Papiſts, againſt whom only, and not the Proteſtant Diſſenters, the teſt act was originally intended to operate, may, excluſive of the general diſpenſation of their Church, take this teſt without conceiving it to bind their conſciences, as many of them hold the Proteſtant Church to be no Church, its Miniſters no Miniſters, and its Sacrament no Sacrament."

" The Church of England, it was ſaid, is ſecured in her doctrines, her diſcipline, and her privilege, without the teſt act, and its repeal would render more eaſy, as well as more pure, the exerciſe of one of the moſt ſacred functions of her Miniſters, who, as the law now ſtands, cannot, without being ſubject to an action for damages, refuſe the Sacrament to any perſon who wiſhes to qualify himſelf for an office, and yet, by the ſolemn injunctions of the Church,

Church, are charged not to adminifter it to blafphemers, adulterers, and others, in a ftate unworthy of receiving it."

"The Diffenters, faid the friends of the motion, afk nothing derogatory to the eftablifhed religion of the country, or in the fmalleft degree trenching on her prerogatives; it is only a civil equality they fue for; a relief from thofe unjuft and grievous difabilities which the prefent laws impofe on them; incapacity of any civil or military appointment, of truft or office in any community or corporation, even though they fhould have eftablifhed it by their induftry, or endowed it by their benevolence; and, in cafe of holding any office without having fubmitted to this teft, a profcription fo cruel as the being legally incapable of maintaining any action at law, or fuit in equity, of being a guardian, an executor, or even receiving a legacy."

"In foreign countries, amidft all their religious bigotry, there is no exclufion by a religious teft from civil or military appointments; the Epifcopalians in Scotland, who are Diffenters from the Church eftablifhed there, are fubject to no fuch teft; in

Ireland

Ireland the Diſſenters obtained, in 1779, the repeal now ſolicited here; in none of thoſe countries are any ill effects found to reſult from the want of this pretended guard to the religious eſtabliſhment."

"The Diſſenters, though incapacitated for the meaneſt office, are yet eligible to Parliament; ſo inconſiſtent, as well as unjuſt, are the excluſions againſt them. The advocates for ſuch excluſion are reduced to the abſurdity of confiding their religious intereſts to diſſenting legiſlators, who, if they had the inclination, might poſſeſs the power of altering the Church Eſtabliſhment, and yet of maintaining, that it is dangerous to truſt Diſſenters with offices and appointments, which confer, in that reſpect, no power or influence whatſoever."

"The impolicy of thoſe ſtatutes, it was inſiſted, was equal to their injuſtice; they ſeparate and alienate from the general intereſts of the State a large and reſpectable body of the citizens. Take away, it was ſaid, this odious line of ſeparation, and the Diſſenters will be mingled with their fellow ſubjects, and all diſtinction of a religiou

gious party will be for ever abolished and forgotten."

The prayer of this petition, and the motion in consequence of it, were opposed, among others, by the Chancellor of the Exchequer, and by Lord North, who, though he had a little while before had the misfortune to lose his eyesight, came down now, for the first time, to the House, to oppose a measure which he conceived so alarming to the safety and welfare of the country.

" The question, it was argued by the opposers of the repeal, when stripped of those colours in which eloquence and abstract arguments of natural equity might dress it, was simply this : — Ought we to relinquish, at once, those provisions which had been adopted, by the wisdom of our ancestors, as a bulwark to the national church, of which the constitution and the safety were so intimately connected and interwoven with those of the State ?"

" The reasonableness of toleration was not disputed ; " but it is not toleration, it was said, that is asked by the Dissenters, but equality ; the free exercise of their own mode

mode of worſhip is not denied them; but it is to thoſe only who follow the worſhip of the eſtabliſhed Church, that the Conſtitution has thought proper to entruſt the enjoyment of offices and appointments, with the Adminiſtration of which the ſafety both of Church and State is connected."

"Reſtrictions applying to offices, which are objects of favour and of truſt, muſt never be conſidered as an infringement on Liberty. There are many inſtances of certain rights being confined to certain orders and qualifications of men; but the title of the State to make ſuch reſtrictions has never been called in queſtion."

"If actions only, and not opinions or tenets, were to be matter of public cognizance or proviſion, there would be an end of all that preventive wiſdom which guards the avenues of danger to the community. In fact and experience, the teſt laws have been the bulwark by which the Conſtitution has been ſaved. But for them, the family of Stuart might now have held the Throne on its own deſpotic terms, and no Conſtitution had been left us to value or to defend."

"If an eſtabliſhment of religion be at all neceſſary, (which will hardly be denied) this advantage and protection are neceſſary to its ſupport. Without any reflection on the Diſſenters, who are a very reſpectable body of men, and whoſe merits in ſeveral periods of public danger will readily be allowed, it may fairly be ſuppoſed, according to the principles they profeſs, that any acceſſion of power would be uſed by them againſt the eſtabliſhed Church; as honeſt and conſcientious men, holding that Church in a certain degree ſinful and idolatrous, it is their duty to employ every legal means in their power for its degradation."

"The penalties and diſabilities which have been inveighed againſt as ſo harſh and tyrannical, do not apply to the religious tenets or writings of the Diſſenters. Againſt them there is no penalty whatſoever; only a preventive reſtraint of the law, that men holding ſuch doctrines, ſhall not be entitled to offices and appointments, in which they might have the power of hurting the religious eſtabliſhment of the country. The penalties ſo much

much complained of, are only incurred by a breach of that law; they are not provisions of the ſtatutes in queſtion, but ſanctions to ſecure their obſervance."

"In the foreign countries, cited as examples, it was ſaid, the arbitrary nature of the government ſuperſedes the neceſſity of ſuch proviſions as thoſe contained in the laws wiſhed to be repealed. The teſt act of England was founded on a jealouſy of the Monarch, natural in a free country, limiting his power of nomination to offices, by a reſtriction for the ſecurity of the Church and the Conſtitution. In Scotland the Diſſenters are chiefly Epiſcopalians, againſt whom the Preſbyterian eſtabliſhment is guarded by a ſolemn pledge at the Union. In Ireland, the non-conformity only to be dreaded is Popery, which there are other legal proviſions to reſtrain."

A diſtinction was ſtated between the danger ariſing from the eligibility of Diſſenters to Parliament, and that which would ariſe from allowing them to hold offices or places in corporations. If Diſſenters were admitted into Corporations,

they might, in ſome inſtances, obtain an excluſive poſſeſſion of them, and might return perſons of principles wholly unfavourable to the Church; whereas a Diſſenter at preſent has no chance of ſitting in Parliament, unleſs his principles are ſo moderate as to induce Members of the Church of England to elect him their repreſentative. It was admitted, that the principles before ſtated would have juſtified withholding even this privilege, but the circumſtance of having granted it, when it was of little importance, could furniſh no argument for other conceſſions of a more dangerous tendency.

It had been ſaid by the friends of the motion, that if the repeal was granted, the Diſſenters would then reſt ſatisfied, would trouble the Legiſlature for no farther indulgence, and indeed would loſe altogether the diſtinction of a religious party. But this, it was contended, was contrary to experience and to human nature. Men are generally emboldened by ſucceſs, and riſe in future demands from having obtained the firſt. Some of the Diſſenters, it was affirmed, did not ſcruple to declare their averſion

aversion and enmity to the established Church, and certain publications were quoted to shew the designs which some of the leaders of that party harboured against it. The repeal of the test act would let in the most obnoxious and most violent, as well as the most moderate and inoffensive; or rather the first would be most likely to push forward into offices, and trusts, from a zeal of which it was prudent to watch the progress, and to guard against the effects.

This application to Parliament on the part of the Dissenters, after being rejected on the present occasion by a majority of 178 to 100, was afterwards twice renewed, with a perseverance, which, by its friends, was argued as a proof of the justice of the claim; by its opponents as the effect of an obstinate combination which might be the ground of alarm. In May, 1789, it was brought forward again by Mr. Beaufoy, when his motion was negatived by a division of 222 to 102; and in March, 1790, by Mr. Fox, when, notwithstanding the utmost exertion of his eminent abilities, the majority against it was considerably increased, the numbers being 294 to 105.

Theſe increaſed majorities were probably more owing to the circumſtances of the times when the queſtion was renewed, than to any novelty or ſuperior force in the arguments by which the meaſure was reſiſted. A ſpirit of innovation and revolution had begun to ariſe, of which prudent and moderate men were afraid, and which in a country, and at a period that could boaſt ſo much actual proſperity and happineſs, they ſaw no reaſon to encourage. The flouriſhing ſituation of that body of men, on whoſe behalf this queſtion was now ſtirred, did not ſeem to imply the exiſtence of any material grievance, any oppreſſive reſtriction attached to their peculiar form of worſhip. The preſent meaſure, it was ſaid, bore rather the appearance of a ſtep towards incroachment on the rights of the eſtabliſhed Church, than of a mere defence of that of their own Such, at leaſt, it was aſſerted, might fairly be ſuppoſed to be the intentions of certain factious and deſigning men, of conſiderable influence among the Diſſenters, who had, in ſermons and diſcourſes, avowed their hopes of a ſpeedy abaſement of the hierarchy

rarchy of the Church of England; and, in the ſame publications, had breathed a congenial ſpirit of diſaffection to the wiſely-eſtabliſhed monarchical part of our civil government. Such, it was allowed, might not be the ſentiments of the great body of the Diſſenters: they were too much intereſted in the national welfare to riſk its peace by ſuch attempts; but to men whoſe turbulence and ambition overcame at once the mildneſs of religion, the principles of patriotiſm, and the conſiderations of prudence, it was neceſſary to oppoſe any juſt and legal barrier which could guard the tranquillity of the empire, or the ſafety of the conſtitution.

SECTION VII.

Abolition of the Slave Trade.

THE idea of aboliſhing the *Slave Trade* had firſt ariſen, ſeveral years prior to its

being brought forward in Parliament, among the Quakers, a ſet of men whoſe principles of peace and meekneſs often ill according with the corruptions of ſociety or the political intereſts of nations, were very naturally averſe to a traffic which had its chief origin in war and rapine, and was ſupported by a great degree of violence and cruelty.

In Britain the ſuggeſtions of benevolence are always liſtened to with partiality. The addreſs of the Quakers on the ſubject of the ſlave trade was favourably received in this country by many whoſe feelings were intereſted by the humanity of its motives, without having had leiſure to conſider its policy. A ſociety was formed in England for the abolition of the ſlave trade, and conſiderable ſubſcriptions raiſed for the purpoſe of an application to Parliament in that behalf, and of carrying on inquiries tending to eſtabliſh the juſtice and the expediency of the meaſure.

In this ſpirit of active humanity petitions were preſented to the Houſe of Commons from ſeveral public bodies, praying an abolition of this trade. A very full

and

and elaborate inquiry was made by the Privy Council into the ſubject, and a number of perſons examined concerning the nature of this branch of commerce, from its firſt ſtage on the coaſt of Africa to the ſale of the negroes in the Weſt Indies. This inquiry alſo comprehended the treatment and condition of the ſlaves in the plantations, and the conſequences to be expected from the abolition or regulation of the traffic in queſtion.

The matter of the before-mentioned petitions was firſt ſtirred in the Houſe of Commons in the ſeſſion 1788; but the general queſtion of abolition being then poſtponed till the whole of this great queſtion ſhould be inveſtigated to the bottom, a bill was in the mean time paſſed for regulating the tranſportation of ſlaves from Africa to the Weſt Indies, in which various proviſions were made for their health and accommodation, and bounties were humanely granted to the captains and ſurgeons of ſlave ſhips, of which the cargoes ſhould be tranſported with the leaſt poſſible loſs upon the voyage.

On the 12th of May, 1789, Mr. *Wilberforce* moved a ſtring of reſolutions declaratory of the exiſting abuſes of the ſlave trade, and laid a ground for a law to aboliſh it. On this ſide of the argument, embracing almoſt every topic that can give warmth to ſentiment or force to language, lay the field for eloquence: in the mover of theſe reſolutions, a man of the moſt amiable and reſpectable character, that eloquence was known to be founded on principle, and kindled by humanity. He was ſupported by moſt of the leading members of the Houſe; among whom were the Chancellor of the Exchequer and Mr. Fox.

Thoſe reſolutions, enforced with a zeal equal to the abilities of ſuch men as I have mentioned, lay on the table of the Houſe of Commons as a text for the future diſcuſſion of the ſubject. But a great variety of additional evidence, on both ſides of the queſtion, was afterwards taken by a Select Committee, which occupied the remaining period of the Parliament; and it was not till the firſt ſeſſion of the next that the Houſe came to any deciſion.

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" The ſlave trade," ſaid Mr. Wilberforce and the other ſupporters of his motion, " might, *à priori*, from its very nature, be pronounced a trade of inhumanity, oppreſſion, and guilt. But we are not left to ſuppoſition — a body of evidence is laid before the Houſe, which ſhews it to be in kind what indeed we muſt have ſuppoſed it, but in degree beyond what the imagination of a good man could have led him even to conceive."

" In its firſt ſtage, what a ſcene of horror and devaſtation does it produce! The wars of the Africans are not prompted by thoſe motives, ſavage as they are, which have ſo often dazzled the fancy of cruel and unthinking men. Theirs is not the pride of conqueſt, or the plume of glory —it is the mere vulgar rapacity of a thief, or the avarice of a cheat, that rouzes the kings of Africa to arms. We teach them wants, and the method of purchaſing what thoſe wants require by the blood; or, in the properer phraſe of the ſhambles, by the fleſh of their own ſubjects, or the ſubjects of their neighbours. The ſeparation of parents and children, of huſbands and

wives, the tearing aſunder every bond of affection or of tenderneſs, are the firſt evils to which the ſurvivors of thoſe wars are doomed."

"But this," continued the favourers of the motion, "is only the opening ſcene of the tragedy. The tranſit of the negroes from Africa to the Weſt Indies, ſo much miſery condenſed into ſo little room, it is hardly poſſible for thoſe to conceive who never gaſped in the tainted air of a ſlave ſhip, under the heat of a vertical ſun." The detail of that ſituation was ſaid to be too horrible and nauſeous for repetition: they preſented, therefore, a ſilent picture of it to the eye, which had a powerful effect upon the Public—the *ſection of a ſlave ſhip*, ſhewing the manner of ſtowing the wretched negroes on board, where, in the cloſe package of airleſs holes, they often endured every degree of pain, diſeaſe, and filth, that is terrible or loathſome to nature. The mortality, in conſequence, was affirmed to be enormous — about 50 per cent., which is ten times the amount of deaths in ordinary ſituations.

"Did

" Did there," it was ſaid, " exiſt a neceſſity (as our intereſted luxury uſes the word neceſſity) for this cruel traffic for the cultivation of our Weſt-India iſlands, even that neceſſity would not juſtify the continuation of a trade ſo repugnant to juſtice; but no ſuch neceſſity exiſts, and the abolition of the ſlave trade is as reconcileable to our true political intereſts as it is conſonant to the eternal principles of right, of conſcience and humanity."

" The intereſt of the planters," it was argued, " was hurt by the exceſſive loſs of the imported ſlaves into the Weſt Indies, and the very great expence in renewing them. This is owing to a variety of cauſes, which would not occur if the culture of the iſlands were carried on by any other mode. The inequality of the ſexes, the diſorders contracted in the middle paſſage, the profligacy of their manners, the natural conſequence of that neglect in point of inſtruction to which a ſlave muſt always be ſubject, who is conſidered as a beaſt of labour rather than a moral agent; the ill treatment they receive, particularly the females in a ſtate of pregnancy, or of nurſing

nurfing their infants, from their mafters; or ftill more from their managers or overfeers; the fcanty allowance of provifions to which they were often ftinted. All thefe evils," it was faid, "would be prevented, or leffened, by the falutary neceffity, which the abolition of the African market would impofe, of a proper degree of care, attention, and mild treatment of the negroes. Befides the probable introduction of cattle and machinery, inftead of flaves, in the culture of the plantations, the ftock of negroes, if negroes muft be ufed, may be profitably kept up without importation: it is fo in America, where, from good treatment and a certain degree of domeftication, their increafe has been great and rapid; and even in the Weft Indies, notwithftanding all the caufes which ftill fubfift for their decreafe, moft of which the abolition would remove, that decreafe has gradually, from the late improvements in their treatment, diminifhed; and in fome of the laft years the native flaves in feveral of the iflands have actually increafed, the decreafe being only on the imported flaves."

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" If we feel not for the unhappy Africans," it was ſaid, " yet we may be touched with the diſtreſſes of our own ſeamen. To them this traffic is nearly as mortal as to the negroes: and beſides the loſs by death, ſeamen often fall a ſacrifice to the vengeance and retaliation of the Africans on the coaſt, or to the villany and covetouſneſs of the maſters of the ſlave ſhips after the diſpoſal of their cargoes in the Weſt Indies, who being obliged, for their ſafety on the paſſage thither, to have a greater number of hands than is neceſſary for their homeward voyage, take every opportunity of leaving part of their crew in the iſlands, or oblige them by ill uſage to deſert from their ſhips, when they often periſh miſerably from diſeaſe and want. Such are its effects on our marine, one of the grounds on which thoſe who argued for the trade thought themſelves ſtrong. It has been defended as a nurſery of ſeamen — it is, in fact, their diſhonourable grave."

" If feeling its conſequences in point of juſtice and humanity we are to condeſcend to compute its advantages in a commercial

mercial view, thofe boafted advantages will be found to have been greatly over-rated. In Liverpool, confidered as the very center of this commerce, it forms but a thirtieth part of the export trade, and is but a fort of lottery, profitable indeed to individuals, but rather a lofing trade on the whole. But if this inhuman traffic in men were abolifhed, Africa has many other articles for which a much more lucrative trade might be carried on: even in its prefent fituation that country affords thefe; but their increafe would be infinite, if, inftead of the idlenefs, the vice, the murders, we teach them by the flave trade, we taught them, by the communication and reciprocal advantages of an honeft traffic, the habits of induftry, and the arts of agriculture and of manufactures."

The oppofers of the abolition lay under many difadvantages which the natural, it may be faid the laudable, prejudices of mankind, the complection of their arguments, and the appearance of partiality which their intereft in the queftion threw upon thofe arguments, neceffarily created. They endeavoured to appeal to the fober under-

underſtanding, to the cool deliberate prudence of the Houſe, and cautioned it againſt the dangerous conſequences which the Legiſlature's yielding to this momentary ebullition of romantic humanity might produce.

"Juſtice, they argued, is antecedent to compaſſion, and the rights of property are as ſacred as thoſe of humanity. The property veſted in the Weſt-India iſlands, was ſo veſted under the ſanction of numberleſs acts of the Britiſh Legiſlature, deliberately, and ſome of them recently paſſed, ſeveral of which expreſsly authoriſe and encourage the ſlave trade. Seventy millions of property is computed to be veſted in the Weſt-India iſlands. Is Parliament prepared to ſtrike off at once, or highly to endanger, this great maſs of the national capital? to forego the induſtry it ſets in motion, the revenue it produces, the ſeamen it employs?

"The motive muſt be ſtrong indeed that can authoriſe ſuch a breach of public faith to the planters, ſuch a violation of the duty of Parliament to their country and their conſtituents. That motive is

humanity; but the fanaticiſm of humanity, like the fanaticiſm of religion, is deaf to reaſon and to truth, and often deſtructive of the very virtue to which it pretends. Does our humanity never think of the conſequence of the wiſhed-for abolition to the thouſands of our own countrymen, whom it will reduce to diſtreſs and poverty? What crime have they committed, that their poſſeſſions ſhould be laid waſte, and their property confiſcated? Theſe perſons, our national humanity, now awakened by a ſociety of enthuſiaſts, after it had ſlept for 200 years amidſt all the virtue and wiſdom of our anceſtors, theſe it overlooks, to indulge in the ideal proſpect of diſtant objects on the continent of Africa.

"But even to the natives of Africa our miſtaken compaſſion will not be humanity. We can only aboliſh this trade for ourſelves, for no other nation will be ſo unwiſe as to aboliſh it. In France, wilder than the wildeſt of us in abſtract notions, fond as ſhe is of revolution, and in the very honey-moon of liberty, the propoſal of aboliſhing the ſlave trade was decidedly

rejected by the National Aſſembly. Other nations therefore will, as in every other caſe, command the market which we have relinquiſhed. They will purchaſe only what ſlaves they chuſe, and the remainder will be butchered by their owners, who, is well known, take this method of diſburthening themſelves of the ſlaves they cannot ſell. It is not in Africa as in civilized countries, where the demand regulates the ſupply. The whole ſyſtem of that great continent muſt be changed, before we can apply to it our ideas of political inſtitution or commercial arrangement. 'Tis a ſyſtem of deſpotiſm and ſlavery throughout, where a few tyrants command the lives, and have a property in the perſons, of the millions who inhabit it. The neighbouring nations go to war from a thouſand different cauſes, as has always been the caſe in a barbarous country. The captives are either killed or ſold into ſlavery. The encouragement which the trade in ſlaves gives to ſome of theſe wars, will ſtill remain from the traffic carried on by other European nations on the coaſt. The price indeed will fall, from our declining

the purchaſe; we ſhall not only loſe the trade ourſelves, but throw it, with a double advantage, into the hands of rival powers.

" Many of the cruelties charged on the ſlave trade have, in truth, no relation to it, but ariſe from the depravity of individuals, which will every where be found to produce oppreſſion and cruelty, if an inquiſition like the preſent will but ſearch and hunt for it. If our Legiſlative humanity is to ſearch after private abuſes, there is ſcarce a trade or manufacture in this country where ſuch abuſes will not be found to exiſt. In ſeveral of our manufactures the mortality of the children brought by their parents (the word *ſold* might be uſed, for the parents bring them for the gain they are to make by their labour) is treble the amount of that on a Weſt-India plantation, or even of a well-appointed and well-managed ſlave-ſhip.

" The mortality indeed, both of the ſeamen and of the negroes, in the middle paſſage has been greatly exaggerated. On board thoſe in which a common degree of attention is paid to the health of the ſlaves,

(to

(to which their value, independant of all feeling in the maſters of the veſſels, naturally incites) that mortality was by no means great, even before the regulation act of 1787. The proviſions of that act will leſſen it ſtill farther. *Regulation* the Weſt-India proprietors will gladly conſent to and adopt. Shew them any regulation that will tend to the health and comfort of their negroes, and their intereſt, if you will not allow them any better motive, will keep pace with your humanity."

"But you will not allow them to know heir own intereſt, or the beſt method of carrying on the buſineſs of their plantations. You adopt that ſyſtem of legiſlative interference and reſtriction on trade, which it is the greateſt boaſt of modern philoſophy to have exploded. You ſay that if the ſlave trade were aboliſhed, they could keep up their ſtock more profitably by attending to the breeding up of their native ſlaves, than they now do by importation from Africa. They know perfectly well the inconvenience and expence of the importation, and the ſuperior value of Creoles. But with all the attention which this

this experience can excite, they are not yet in a condition to keep up a ſufficient ſtock for their plantations, without new purchaſes of negroes. The experiment has been tried in ſome of the Dutch plantations, which, by an impolitic prohibition of foreign ſlave ſhips, were almoſt ruined. Moſt of our Weſt-India eſtates are underſtocked even in their preſent ſituation; but are they to be prohibited from any extenſion of their plantations, any means of improvement of thoſe waſte lands, amounting in Jamaica alone to about a million of acres, now patented from Government, for which large quit-rents are already paid, and large ſums inveſted? The calculations of the advocates for abolition, even allowing their data, which however are groſsly erroneous, are made on the preſent extent of the plantations, and on the ſtate of the ſtock in ordinary years; they make no proviſion for thoſe diſaſtrous ſeaſons in which hurricanes or epidemic diſeaſes deſolate the iſlands. They add to theſe natural evils the proſpect of remedileſs bankruptcy and ruin to the proprietors; for a Weſt-India eſtate is but a ſort of manufacture,

facture, and a prohibition to recruit the number of the hands employed in it, is a virtual confiscation of the property."

"Equally fallacious are those methods of culture which the theory of those who argue for the abolition have pointed out to the planters. Repeated attempts have been made of cultivating the plantations by whites, and even great encouragements held out by the colonial assemblies for that purpose; but even with those encouragements the attempt was found impracticable. The same thing has happened with the experiments anxiously made of culture by cattle and machinery; but those things which their experience has long ago found impossible, the confident theorists of this new system hold out as easy and even profitable."

The ill treatment of the slaves in the West Indies was confidently affirmed to be neither general nor common; and appeals were made on that subject, to the testimony of some of the most respectable characters in the army and navy of Great Britain, some of whom had resided long in the islands, and had the best opportunity

of

of witnessing the treatment of the negroes. The fact was said to be, that they were not only mildly and humanely treated, but that they enjoyed a greater degree of ease and comfort than the common labourers in many parts of Britain. Instances of barbarity might no doubt be found; but such were known daily to happen in England, where apprentices have died under the cruelty of their masters; but the law did not therefore proposed to abolish apprenticeship. Some of the opponents of the trade allowed a great improvement in the treatment of negroes in later times, and founded on the increase occasioned by it, an argument against the necessity of importation.— "Suffer them then, it was said, to benefit by this gradual and progressive improvement, and do not, with rash and unadvised hand, cut off the chance of future prosperity in the planters, and of the consequent melioration in the state of their negroes, whose situation must always be proportionate to the flourishing or distressed situation of their masters."

To some of these arguments in defence of the present system it was replied, "that grant-

granting Africa to be in a ſtate of as much barbarity as was repreſented, that barbarity was maintained and increaſed by the trade in queſtion. That if the other branches of commerce, of which that country is ſuſceptible, were encouraged, which would be the natural effect of the abolition of the ſlave trade, induſtry and civilization would take place of thoſe ſavage manners which were now made an excuſe for our own guilt and inhumanity, to which their continuance was chiefly to be aſcribed."

The concluſion drawn from the intereſt of the ſlave merchant and the planter prompting their good treatment of the ſlaves, was repelled as contrary to all experience and knowledge of human nature. "Intereſt, it was ſaid, has never been able to control the violence of paſſion, or the extravagance of caprice, when there was an unlimited power of indulging them. The familiar inſtance of the treatment of our beaſts of burthen, to which the condition of the negroes is too nearly ſimilar, was cited as an example in point. Under this argument of the prevalence of intereſt over inclination, half the crimes and

follies of civilized life, it was urged, might be demonſtrated to be impoſſible."

"That the ſituation of the ſlaves was happy and comfortable, was ſaid to be an aſſertion repugnant to every one's feelings. But there was a horrid proof of the contrary in the many inſtances of ſuicide among the negroes. The inſurrections too, which they ſometimes ventured, deſperate and hopeleſs as they were, ſhewed ſtrongly their ſenſe of the ſufferings they endured. This was one of thoſe evils which the ſyſtem of ſlavery neceſſarily inflicted on the maſters of ſlaves, the ſuſpicion, the fear, the danger, with which they were ſurrounded."

"The argument againſt the interference of the Legiſlature in the management or conduct of the planters, might, it was obſerved, be carried the length of precluding all improvement whatſoever. Here again, the argument of attention to their proper intereſts is ſet up, to prove the impracticability of any change in their mode of culture. But the indolence of habit overcomes in the bulk of men the motive of intereſt, if that intereſt is not a very direct and immediate

mediate one. The ſame objection of the impoſſibility of any other than the eſtabliſhed mode of cultivation might have been made, ſome centuries ago, to any man who ſhould have ventured to propoſe the emancipation of the *Serfs* as a practicable meaſure. Yet it will not be denied, that the improvement of modern Europe is chiefly owing to that circumſtance."

Notwithſtanding the eloquence with which theſe arguments were enforced, and the weight and authority of thoſe Members by whom they were urged, the abolition of the ſlave trade, which had been only brought the length of inquiry in this Parliament, was negatived, at a pretty early period of the ſucceeding one, by a majority of 163 to 88.

SECTION VIII.

The Regency.

OF one event, fortunately as tranſient as it was unexpected, by which the deliberations of this Parliament on any other ſubject were for a time ſuſpended, I have not hitherto made mention. I ſhould, indeed, have been unwilling to take notice of it at all, had it not produced diſcuſſions, as well as reſolutions of the repreſentative body, of the firſt importance to the Conſtitution. I mean the illneſs of the King, and the proceedings on the ſuppoſed impending *Regency*, in the end of the year 1788, and the beginning of 1789.

Parliament had been prorogued, in the cuſtomary manner, to the 20th of November 1788, but without its being intended to meet at that time for the diſpatch of buneſs. The tranquillity, even the proſperity of the State, were ſuch as not to require its meeting till a later period. But that tranquillity

quillity was interrupted by the unlooked-for event of His Majeſty's being ſeized with an indiſpoſition of the moſt ſerious and afflicting kind, by which he was totally incapacitated from meeting Parliament, from any mental exertion, or from tranſacting any ſort of buſineſs.

This was announced to the Houſe of Commons, on the above-mentioned day of their meeting, by the Chancellor of the Exchequer, who at the ſame time moved an adjournment to that day fortnight. The Houſe aſſented, with a ſilence impreſſed by the ſtriking and melancholy event which had been communicated to them. The ſame impreſſion was ſtamped on the mind of the people, who looked up to their repreſentatives with that earneſt and ſolemn expectation which diſtreſs excites, for a calm, deliberate, impartial determination, reſpecting the meaſures which it became them to take on this intereſting and aweful occaſion.

The Houſe was afterwards farther adjourned to the 8th of December, on which day a Committee was appointed to examine the phyſicians who had attended His Majeſty

jeſty during his illneſs. On the 10th of December that Committee made its report. From that report it appeared, that His Majeſty was utterly incapable of exerciſing his functions; and though it contained ſtrong hopes of his recovery, yet ſuch expected recovery was too uncertain, and might be too diſtant to admit of a delay in taking thoſe ſteps which the exigency of the time required. Another Committee was therefore appointed "to ſearch for and report "precedents of ſuch proceedings as may "have been had in caſe of the perſonal "exerciſe of the royal authority being "prevented or interrupted by infancy, "ſickneſs, infirmity, or otherwiſe, with a "view to provide for the ſame."

It was on this occaſion that Mr. Fox brought forth that memorable claim which provoked ſo much diſcuſſion both in Parliament and among the people, that "the "*Heir Apparent* of the Crown, being of "full age and capacity to exerciſe the royal "power, has as clear and expreſs a right "to aſſume the reins of Government, du- "ring the continuance of the illneſs and "incapacity with which it has pleaſed God

"to

" to afflict His Majesty, as in the case of
" His Majesty having undergone a natural
" and perfect demise."

This claim seemed, from the aspect of the House, to be favoured by a considerable party in it. By a majority, however, it was received with equal surprize and disapprobation. The Chancellor of the Exchequer, with a warmth natural in the cause of freedom in a free country, declared, " that to assert such a right in the " Prince of Wales, or any one else, independant of the decision of the two " Houses of Parliament, was little less " than *treason* to the Constitution. The " assertion of such a right, he said, shewed, " in the strongest manner, the necessity of " the enquiry for which he had moved. " It behoved them to meet this claim on " the surest grounds; to learn and to ascertain their own rights; to protect the " rights and interests of their constituents, " and the interest and honour of a Sovereign deservedly the idol of his people." He cautioned the House against " rashly " annihilating and annulling the authority " of Parliament, in which the existence of " the

"the Conſtitution was ſo intimately in-
"volved."

Mr. Fox, on a ſubſequent day, abated ſomewhat of the ſtrength of the claim which he had made, by explaining his meaning, *univerſally* miſunderſtood before, to have been, not that this right was ſuch as the Prince could aſſume of himſelf, but ſuch only as attached to him on the King's incapacity being declared by Parliament. Afterwards the party, who had rather unadviſedly brought forth this claim, wiſhed to avoid its diſcuſſion altogether; and though one gentleman, affecting to be much in the Prince's confidence, raſhly ventured to throw out a ſort of threat againſt provoking its aſſertion, the more politic Members on the Oppoſition ſide of the Houſe argued the inexpediency of interrupting or protracting their proceedings by agitating a queſtion of this abſtract kind. But it was a queſtion which, having once been ſtirred, was of a magnitude not to be overlooked. It produced a long and ſolemn debate, which ended in the adoption, by a conſiderable majority, of three reſolutions moved by the Chancellor of the Exchequer, of

which

which the ſecond went directly to the determination of this point, ſo eſſential to the conſtitution of the country. Theſe reſolutions were:

1ſt "That His Majeſty is prevented by his preſent indiſpoſition from coming to his Parliament, and from attending to public buſineſs; and that the perſonal exerciſe of the royal authority is thereby for the preſent interrupted."

2d. "That it is the right and duty of the Lords ſpiritual and temporal, and Commons of Great Britain, now aſſembled, and lawfully, fully, and freely, repreſenting all the eſtates of the people of this realm, to provide the means of ſupplying the defect of the perſonal exerciſe of the royal authority ariſing from His Majeſty's ſaid indiſpoſition, in ſuch manner as the exigency of the caſe may appear to require."

3d. "That for this purpoſe, and for maintaining entire the conſtitutional authority of the King, it is neceſſary that the ſaid Lords ſpiritual and temporal, and Commons of Great Britain, ſhould determine on the means, whereby the royal aſſent

may be given in Parliament, to ſuch bill as may be paſſed by the two Houſes of Parliament, reſpecting the exerciſe of the powers and authorities of the Crown, in the name and on the behalf of the King, during the continuance of His Majeſty's preſent indiſpoſition."

With theſe reſolutions the voice of the nation ſeemed decidedly to concur. It was not, indeed, without a great degree of ſurpriſe that the people had heard men, whom they had been accuſtomed to regard as the ſupporters of thoſe maxims of a free government, known by the name of *Whig* principles, pronounce an aſſertion ſo nearly allied to that doctrine of *hereditary and indefeaſible right*, which the preſent age can ſcarcely believe to have been one of the follies of the laſt. The claim in queſtion was, indeed, ſo weakly defended at the time, and has ſince been ſo entirely abandoned, that it may, perhaps, be thought needleſs to have mentioned it ſo much at large; but it is neceſſary to record public doctrines, however extravagant or ill founded, becauſe, by an equal violence or blindneſs of party, they

they may, on ſome future occaſion, be urged.

The *right* of Parliament being thus ſolemnly recognized, the mode, as well as the extent of its exerciſe of that right, was the ſubject of much future diſcuſſion and debate. As to the firſt, it was, indeed, difficult to apply to the mould of eſtabliſhed forms a proceeding of a new and unprecedented kind. The mode propoſed by the third reſolution, of a bill to be paſſed by the two Houſes of Parliament, receiving the royal aſſent in virtue of a commiſſion iſſued under the authority of an act of the Parliament itſelf, involved a legal fiction which, though it might be juſtified by the neceſſity of the caſe, afforded much opportunity for the argument and the ridicule of Oppoſition. But it was a mode ſuggeſted by a juſt and ſcrupulous adherence to the analogies, and to the forms, of the Conſtitution, and a reſpect which, perhaps, the circumſtances of the moment might ſtrengthen for the regal office. It was important in providing for this exigency, that the power inherent in Parliament, as the

 organ

organ of the people to ſupply in this emergency the deficiency of the executive government, ſhould not go beyond the neceſſity on which it was founded; and that the mode of exerciſing it ſhould recogniſe, on the very fact of it, the regal authority as an eſſential part of the Conſtitution.

The diſcetionary Exerciſe of this power involved ſeveral particulars, which were afterwards compriſed in the *Regency Bill*, brought in by the Miniſter on the 5th of February, 1789. By that bill the Prince of Wales was empowered "to exerciſe the royal authority during His Majeſty's illneſs;" with a proviſion, however, that the care of His Majeſty's perſon, and the management of his houſhold, including the direction and appointment of all the officers and ſervants of that houſhold, ſhould be veſted in *Her Majeſty*. The powers of the Regent were ſubjected to certain reſtrictions. They were not to extend to the granting of Peerages, except to any of His Majeſty's iſſue when arrived at the age of 21; nor to granting any office in reverſion; nor to granting for any other term than

than during pleaſure, any penſion, or any office, except ſuch as the law directs to be granted during life or good behaviour; nor to granting any of the real or perſonal property of the King, except the renewal of leaſes held under the Crown.

Theſe reſtrictions were ſtrenuouſly oppoſed in both Houſes of Parliament. They were repreſented as laying a foundation for a weak, a defective, and a divided Government. The rights of the Crown, it was contended, were given it for the benefit of the People to enable it to carry on the functions of the executive power with that energy and effect which are neceſſary to the welfare of the State. The crippled and mutilated authority which this bill left with the Regent, would be inadequate to thoſe ſalutary purpoſes. Its reſtrictions, it was argued, ſeparated from the regal office, the royal functions, and prerogatives which the Conſtitution had determined to be neceſſary to ſupport the legitimate power of the Sovereign, which, without them, therefore, muſt be ſunk below that place which the Conſtitution had wiſely aſſigned it.

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It was maintained on the oppoſite ſide; that the Reſtrictions in queſtion were indiſpenſable in the preſent caſe. Parliament was not now making a King! it was only providing for a temporary ſuſpenſion of the kingly functions; and it was bound to conſider the perſonal rights of the exiſting Monarch, and to provide for his reſumption of his political rights, whenever it ſhould pleaſe God to reſtore his capacity of exerciſing them. The powers of the Regent ought to be limited by the ſame unfortunate neceſſity by which they were created, and Parliament was called upon by every principle of duty to their country, by every feeling of loyalty to their King, to take care that His Majeſty ſhould find, on his recovery, his rights entire, uninfringed, and unabated, by any act of his People, or their repreſentatives, during an indiſpoſition, of which they hoped and muſt provide for the ceſſation.

In the Houſe of Lords the proceedings were ſimilar to thoſe in the Houſe of Commons, and the arguments in debate were founded on the ſame principles.

During the debates which the various provisions and restrictions of the Regency Bill occasioned, which lasted till the middle of February, the Public watched with a degree of interest and anxiety proportioned to the importance and nature of the subject, the opinions of individuals, and the movements of party. They had sometimes to regret the violence of the one, and the intemperance of the other, so ill according with that solemn and awful impression which the consideration of their sovereign's afflictive state, and of the probable situation of public affairs, was calculated to produce. They heard expressions applied to the first, by men whose talents and whose characters they wished to respect, equally devoid of dignity, of delicacy, and of feeling. They saw that party whom it was supposed the establishment of the Regency would introduce into Administration, forget, in the inordinate desire, in the voracity of power, the interests of their country, and the rights of their King. They looked with the regrets of affection, on the conduct of the illustrious and amiable personage, who

was

was underſtood to be the ſupport of that party. It was the firſt time they had heard the name of a Prince of the Houſe of Brunſwick jar with thoſe principles of freedom and the Conſtitution by which (the proudeſt of all titles) his Family had aſcended the Throne. They lamented his being, as they conceived, miſled by deſigning men, who, bending his intereſts in ſubſervience to their to own, endangered their ſeparation from thoſe of the country; and they looked with a gloomy preſage to the elevation of ſuch men into power, which they had anticipated with ſo little regard to the welfare or the feelings of the People. The meaſures of that party they contraſted with thoſe of their opponents, with a partiality to the latter, which perhaps their maſter's ſituation tended to excite. Covered with the ſhade of his affliction, his Miniſters challenged the reſpect and favour of his People; who, with an equal zeal of Patriotiſm, and a ſympathetic affection of loyalty, ſaw them prepare, with a calm and conſcious dignity, for a diſmiſſion from place and power, regardleſs of themſelves, and

only

only tenacious of the rights of their fellow-citizens, and of their Sovereign.

But the virtue which the people ſuppoſed in the one, or the ambition which they imputed to the other, were equally ſtopped in their exertion, by the happy event of His Majeſty's recovery, which took place about the middle, and was communicated to Parliament before the end of February. The joy of the nation was as unbounded as it was ſincere, and the King had the peculiar felicity to find himſelf reſtored to health, of which the enjoyment was rendered doubly a bleſſing by the moſt ſignal proofs of the fidelity and affection of his ſubjects. It was a ſituation new, as it was intereſting, in the fate of a King, who can ſeldom have the good fortune to experience, after ſuch a viciſſitude, the pure affections of his People, unbribed by the hopes of favour, or undazzled by the glare of victory. To hear that voice (as the *Apotheoſis* of the poets have feigned of Kings after their death) which had certainly ariſen undebaſed by the fears of the weak, the expectations of the ſelfiſh, or the

flattery of the mean. The People, by a combination not leſs unuſual, while they enjoyed the reſtoration of their Monarch, felt the energy of the Conſtitution, and triumphed in the virtue of the Parliament. They reſted with peculiar ſatisfaction on the late recognition of this great conſtitutional principle, that in Parliament alone, as their Repreſentative, reſides the power of regulating every emergency not already provided for by the expreſs law, or by the known eſtabliſhed cuſtom of the realm.

CONCLUSION.

I Have thus, with a ſlight, but I hope not unfaithful pencil, ſketched the principal features of the Parliament 1784. Its proceedings were ſo momentous, whether we regard their importance at the time, or look to their conſequences in future, that I think

I ſhall be readily excuſed for recalling them to the remembrance of the public. Any comments with which I have ventured to accompany their recital, I leave to the judgement of my fellow citizens; with the more confidence, becauſe I have only endeavoured to expreſs what I believe to have been the ſentiments of the unbiaſſed and reſpectable part of the community. But the impartiality of the people is not indifference; they feel, and I participate in their feelings, a proper gratitude to thoſe whoſe meaſures they believe to have conduced to the proſperity and honour of the State; and they feel a proportionable diſapprobation, when ſuch meaſures are embarraſſed and impeded, if they conceive the oppoſition to them to have ariſen from envy, ſelf-intereſt, or ambition. A preference founded on theſe conſiderations is not an attachment to party — it is the attachment of a good citizen to his country — of a good man to virtue.

Though it may not be a popular doctrine, yet I believe it is one which moderate and thinking men will admit, that in Great

Britain, the nature of its Government, the continual ſuperintendance of Parliament, the weight of public opinion, and the influence which all theſe circumſtances muſt have on the character and conduct of perſons in official ſituations, afford a much greater probability than in other countries that the Adminiſtration will ordinarily be at leaſt right in its intentions, and will adopt its meaſures from a belief that they are ſuch as will tend to the benefit of the nation. The men who attain the high departments of the State in Britain, are commonly ſuch as, from their education, their habits of life, and their ſituation with regard to the community, have much ſtronger motives to purity and uprightneſs in their public conduct, than to the contrary. The ariſtocracy of Great Britain is eſſentially different from the ariſtocracy in other monarchical Governments of Europe; its rights are more attached to perſonal merit, and leſs to accidental advantages; it is as much an ariſtocracy of talents as of rank. The term *gentleman* in Britain, is a title which is annexed not excluſively to birth,

as

as in other countries, but to qualities generally indeed attendant on a certain rank in ſociety, a liberal education, a well-informed mind; to elegant deportment and honourable ſentiments. Hence ariſes a very great difference in this from other countries, both in that order of men out of which Miniſters are to be taken, and in that claſs alſo by which they are to be judged. The firſt has no privilege by which it can impoſe, nor the laſt any feeling by which it can be impoſed on, in the conduct of public meaſures. There is in Britain no protection for the Court againſt the prevailing opinion of the community, that could cover the diſſipation, the debauchery, the capricious extravagance, the thoughtleſs inhumanity, which, from the interior of ſo many palaces, have ſpread oppreſſion and ruin over devoted millions.

It is material to conſider from whence ariſes this general ſafeguard, which the Public poſſeſſes againſt the malverſation of Miniſters, againſt the intentional abuſe, or the ignorant miſapplication, of the powers with which they are entruſted. The popu-

lar

lar nature of our Government furniſhes, as has been already ſtated, a check, of which the operation is conſtant, becauſe it is excited by natural and unceaſing cauſes. The opportunity which Parliament affords to the young, the buſtling, the ambitious, of canvaſſing public meaſures, is one of thoſe ſalutary counterpoiſes which our conſtitution affords againſt the weight of the executive power. The *Oppoſition* in Britain is a ſort of public body, which, in the practice at leaſt of our Government, is perfectly known and eſtabliſhed. The province of this ex-official body, when it acts in a manner ſalutary to the State, is to watch, with jealouſy, over the conduct of Adminiſtration; to correct the abuſes, and to reſiſt the corruptions of its power; to reſtrain whatever may be exceſſive, to moderate what may be inconſiderate, and to ſupply what may be defective in its meaſures.

In the exerciſe of its functions, if they may ſo be called, Oppoſition has advantages by which thoſe obvious ones, often mentioned on the ſide of Adminiſtration,

are balanced; if, on the one hand, patronage ſtrengthens Adminiſtration, on the other, the diſcontent and envy of the diſappointed are often thrown into the ſcale of Oppoſition; if Adminiſtration has ſuperior opportunities of information, Oppoſition is not reſtrained by official ſecrecy; if Adminiſtration impoſes by its dignity, Oppoſition wins by its familiarity with the People; and if Adminiſtration enjoys active occaſions of acquiring popularity, Oppoſition, on the other hand, ſuffers none of the embarraſſments which reſult from delicate and perplexing ſituations. Cenſure has not the reſponſibility of action; and in debate or diſcuſſion, he who objects or blames may often object at random, and blame without certainty; the burden of proof is almoſt always thrown upon Adminiſtration. Oppoſition is ſeldom obliged to act on the defenſive, but has always the warmth, the vivacity, and the enthuſiaſm of an aſſailant.

The reſpect, as well as the uſefulneſs, of this cenſorial repreſentative of the People, (if I may be allowed to give it that

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denomination) depends on the manner in which its faculties are exerted. If its resistance to the measures of Government is unreasonable, or its objections captious; if it passes those bounds within which the justice of the People would confine its censure, and departs from that consistency in argument, or that principle in conduct, which their understanding is always able to perceive, and which their honesty always expects, the confidence of the Public is proportionally withdrawn, and the respectability of Opposition diminished. But, above all, if the purity of its motives be impeached, or the dignity of its character degraded; if it holds an interest opposite to that of the nation, of which it enjoys the calamities and repines at the success; if it breathes an ambition of that unprincipled sort that would build its own advancement on the ruin of the Constitution, no talents, no abilities, can redeem its reputation with the country.

The misapplication of those abilities, the perversion of those talents, may, however, sometimes have effects more pernicious

cious than the authority of the men who poſſeſs them ſhould be able to produce. Britain is fertile in ſpeculation. In politics, as in ſcience, there are ſo many ſpeculatiſts in this country, that if Oppoſition, or the worſt and moſt deſperate part of Oppoſition, applies itſelf to make proſelytes againſt the Conſtitution, it will find, in the diſcontent of the ſplenetic, or the caprice of the fanciful, converts to any ſyſtem that has novelty and boldneſs to recommend it.

In this ſituation, the people will judge for themſelves; they will not reſt on the authority of men, whoſe talents, in their perverſion, are armed againſt the happineſs of their fellow-citizens. They will review with impartiality the train of public meaſures which their obſervation has enabled them to trace, and conſider the effects which thoſe meaſures have produced on the nation. The diſtruſt of power is natural, and an inquiry into the uſes to which it has been applied is the privilege of freemen. The wiſe and the good, however, will certainly feel a ſatisfaction in the

favourable refult of fuch inquiry; to fuch men, to praife a Minifter will be more agreeable than to cenfure him;—but that confideration is of little importance—the gratification which they will feel, is the profperity of their country.

THE END.